

COMMON COUNCIL MEETING – MARCH 2, 2004

Mayor Boughton will call the meeting to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE AND PRAYER

ROLL CALL

McMahon, Burns, Trombetta, Calandrino, Saadi, Barry, Visconti, Steinerd, Urice,
Esposito, Nolan, Basso, Saracino, Cavo, Bingaman, Teicholz, Nagarsheth, Payton,
Riley, Seabury, Stanley

_____ **PRESENT** _____ **ABSENT**

PUBLIC SPEAKING

MINUTES – Minutes of the Common Council Meeting held February 3, 2004

CONSENT CALENDAR

1 – RESOLUTION – Downtown Special Services District

2 – RESOLUTION – DUI Enforcement Vehicle Grant

3 – RESOLUTION – Redevelopment Parcel 9

4 – RESOLUTION – EPA Grant – Mallory Hat Factory

5 – RESOLUTION – Lead Safety Outreach Program

6 – RESOLUTION – Nitrogen Removal, Water Pollution Control Plant

7 – RESOLUTION – East Ditch Storm Drainage Easements

8 – RESOLUTION – Wooster Mountain Shooting Range Noise Abatement Study

9 – COMMUNICATION – Promotions within the Danbury Police Department

10 – COMMUNICATION – Appointment as Youth Advisors to Youth Commission

11 – COMMUNICATION – Reappointment to the Commission for Persons with Disabilities

12 – COMMUNICATION – "Clean City Danbury"

13 – COMMUNICATION – Donation to the Department of Elderly Services

14 – COMMUNICATION – Donation to the Fire Department

15 – COMMUNICATION – Donation to the Library

16 – COMMUNICATION – Donations to the Welfare Department

17 – COMMUNICATION – Disposal of Surplus Vehicles & Equipment

18 – COMMUNICATION – Report regarding Request to Purchase City Land on Terrace Street

19 – COMMUNICATION – Road Widening Parcel and Sidewalk Easement – 146 South Street

20 – COMMUNICATION – Offer to Donate Land to the City – Westville Estates

21 – COMMUNICATION – Request for Sewer and Water Extensions – Scuppo Road

22 – COMMUNICATION – Request for Sewer Extension – 15 Plumtrees Road

23 – REPORT – Request for Water Extension – Oak Ridge Avenue

24 – REPORT & RESOLUTION – Sewer and Water Project Timetable

25 – COMMUNICATION – Pending Litigation

26 – DEPARTMENT REPORTS – Public Works, Department of Elderly Services, Welfare, Parks & Recreation, Health & Housing, Fire Chief, Police Chief, Fire Marshall, Permit Center, Building Department

CONSENT CALENDAR – MARCH 2, 2004

2 – Receive the communication and adopt the Resolution to accept grant funding from the State of Connecticut for the purchase of DUI enforcement vehicles.

5 – Receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the U. S. Conference of Mayors and DuPont *Spotlight on Excellence Awards* program for lead safety outreach programming.

6 – Receive the communication and adopt the Resolution which reaffirms the City's application for funding from the State of Connecticut Department of Environmental Protection for the purpose of studying nitrogen discharge levels from the water pollution control plant.

7 – Receive the communication and adopt the Resolution authorizing the Corporation's Counsel office to take the necessary action to acquire the easements outlined in the communication pertaining to the East Ditch storm drainage easement.

8 – Receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to execute the updated Personal Services Agreement outlined in the communication, for the purpose of continuing the noise abatement study pertaining to the Wooster Mountain Shooting Range.

10 – Receive the communication and confirm the appointment of James DePaoli and Ashley Harvey as Youth Advisors to the Danbury Youth Commission.

11 – Receive the communication and confirm the reappointment of Chad Sinanian as a member of the Commission for Persons with Disabilities.

17 – Receive the communication and authorize the Purchasing Agent to dispose of the vehicles and equipment outlined in the communication to the highest bidder.

23 – Receive the report and approve the request for water extension on Oak Ridge Avenue, subject to the required eight steps as recommended by the committee.



MARCH

~~yyyy~~ month Common Council Minutes

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TO: Mayor Mark D. Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held March 2, 2004

The meeting was called to order at 7:30 P.M. The Prayer and Pledge of Allegiance were offered. The members were recorded as:

PRESENT – McMahon, Burns, Trombetta, Saadi, Barry, Visconti, Steinerd, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Teicholz, Nagarsheth, Seabury

ABSENT – Calandrino, Bingaman, Payton, Riley, Stanley

16 PRESENT – 5 ABSENT

Mr. Calandrino was out of State, Mr. Bingaman had a business commitment, Mrs. Payton and Mr. Riley were ill.

PUBLIC SPEAKING

Margaret Mitchell, 2 Park Place – spoke regarding item 7. Thanked everyone for their efforts on the East Ditch Project.

Jack Layda, 1 Candlewood Drive – is in favor of item 12, the Clean City Danbury

John Koschel, 1 Ta'Agan Point Road – supports item 12, there is a need for a place to put brush.

Thomas Ball, 6 Candlewood Drive – supports item 12, Clean City Danbury

MINUTES – Minutes of the Common Council Meeting held February 3, 2004. Mr. Nolan made a motion to approve the minutes as submitted and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mr. Cavo. Motion carried unanimously.

CONSENT CALENDAR – Mrs. Basso submitted the following items for the Consent Calendar:

2 – Receive the communication and adopt the Resolution to accept grant funding from the State of Connecticut for the purchase of DUI enforcement vehicles.

5 – Receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the U. S. Conference of Mayors and DuPont *Spotlight on Excellence Awards* program for lead safety outreach programming.

6 – Receive the communication and adopt the Resolution which reaffirms the City's application for

funding from the State of Connecticut Department of Environmental Protection for the purpose of studying nitrogen discharge levels from the water pollution control plant.

7 – Receive the communication and adopt the Resolution authorizing the Corporation's Counsel office to take the necessary action to acquire the easements outlined in the communication pertaining to the East Ditch storm drainage easement.

8 – Receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to execute the updated Personal Services Agreement outlined in the communication, for the purpose of continuing the noise abatement study pertaining to the Wooster Mountain Shooting Range.

10 – Receive the communication and confirm the appointment of James DePaoli and Ashley Harvey as Youth Advisors to the Danbury Youth Commission.

11 – Receive the communication and confirm the reappointment of Chad Sinanian as a member of the Commission for Persons with Disabilities.

17 – Receive the communication and authorize the Purchasing Agent to dispose of the vehicles and equipment outlined in the communication to the highest bidder.

23 – Receive the report and approve the request for water extension on Oak Ridge Avenue, subject to the required eight steps as recommended by the committee.

Mrs. Saracino made a motion to adopt the Consent Calendar as presented. Seconded by Mr. Seabury. Motion carried unanimously.

(At 7:45 P.M. Ms. Stanley arrived and was marked present)

1 – RESOLUTION – Downtown Special Services District

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY DOWNTOWN
SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING
JULY 1, 2004 and ENDING JUNE 30, 2005

SECTION 1. The sum of One Hundred Thirty Five Thousand Eight Hundred Dollars (\$135,800.00) represents the gross appropriation for the City of Danbury Downtown Special Services District of One Hundred Thirty Five Thousand Eight Hundred Dollars (\$135,800.00) for the fiscal year beginning July 1, 2004 and ending June 30, 2005, minus indirect revenues of \$ -0-, and minus estimated available "Surplus" of \$ -0-, is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the new tax assessment dated October 1, 2003 based upon a total net assessment of \$77,996,590.00.

SECTION 2. Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 2004 and ending June 30, 2005 with respect to said property interests within said District shall be as follows:

TAX RATE: 1.7411 MILLS

SECTION 3. The taxes levied and assessed as herein provided shall be due and payable in quarterly equal installments on July 1, 2004, October 1, 2004, January 1, 2005 and April 1, 2005

except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 2004, in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning on July 1, 2004 and ending June 30, 2005.

Mr. Nolan made a motion to receive the communication and approve the resolution. Seconded by Mr. Nagarsheth. Motion carried unanimously.

2 – RESOLUTION – DUI Enforcement Vehicle Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Transportation, has made grant funds available to the City of Danbury for DUI enforcement; and

WHEREAS, the funding will cover 80% of the full cost of fully equipped DUI enforcement vehicle (\$36,850.00); and

WHEREAS, the City of Danbury is eligible to receive funds of approximately \$29,480.00; and

WHEREAS, the City of Danbury is required to provide 20% of the cost of the enforcement vehicles, or \$7,370.00.

NOW THEREFORE, BE IT RESOLVED that Mark D. Boughton, as Mayor of the City of Danbury, be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be necessary to effectuate the purposes of said grant application and the receipt of such grant.

The Communication was received on the Consent Calendar and the resolution to accept grant funding from the State of Connecticut for the purchase of DUI enforcement vehicles adopted.

3 – RESOLUTION – Redevelopment Parcel 9

Mr. Urice asked that this be referred to an ad hoc committee, the Corporation Counsel, a representative of the Redevelopment Agency, the Director of Finance, the Coordinator of Environmental Services and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Nagarsheth, Saracino and Saadi to the committee.

4 – RESOLUTION – EPA Grant – Mallory Hat Factory

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the former Mallory Hat Factory property on Rose Hill Avenue, owned by the City through foreclosure, is limited from resale due to levels of contamination in the soils that resulted from past industrial operations; and

WHEREAS, a detailed environmental assessment and Remediation Design conducted for the City by Marin Environmental Inc. has developed Phase I and Phase II Environmental Assessment Reports;

and

WHEREAS, the Environmental Protection Agency (EPA) is offering funds for clean up of Brownfield properties through the Brownfield Clean-up grant program, offering up to \$200,000.00 with a 20% City match; and

WHEREAS, the City of Danbury will be providing the 20% cash match for this project if awarded the grant.

NOW, THEREFORE, BE IT RESOLVED that the Common Council authorizes the Danbury Health Department to apply to the Environmental Protection Agency (EPA) for a Brownfield clean-up grant for \$200,000.00, and to authorize the Mayor to accept such funds, if awarded, and enter into any contractual agreements with the EPA that would allow the execution of said grant.

Mr. Seabury made a motion to receive the communication and adopt the resolution authorizing the Danbury Health Department to apply to the Environmental Protection Agency for a Brownfield clean-up grant for \$200,000 and to authorize the Mayor to accept such funds, if awarded, and to enter into any contractual agreements with the EPA that would allow the execution of said grant. Seconded by Mrs. Basso. Motion carried unanimously.

5 – RESOLUTION – Lead Safety Outreach Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Conference of Mayors and DuPont are sponsoring a Spotlight on Excellence Awards program, focusing on lead safety educational outreach campaigns; and

WHEREAS, three cities that propose outstanding approaches to educate their communities on the importance of lead safety will be chosen for an award ranging from \$20,000.00 to \$35,000.00 without City matching funds; and

WHEREAS, any award funding obtained is proposed to be leveraged into the LAMPP (Connecticut Lead Action Medicaid Primary Prevention) consortium of State agencies and other municipalities formed to conduct lead education, hazard analysis and lead hazard prevention and abatement.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton or his designee, Director of Health William Campbell be and hereby is authorized to submit said application for award(s) and to take such and additional steps as may be necessary to accomplish the purposes hereof.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the U. S. Conference of Mayors and DuPont Spotlight on Excellence Program for lead safety outreach programming adopted.

6 – RESOLUTION – Nitrogen Removal, Water Pollution Control Plant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, a study of the discharge of nitrogen by the Water Pollution Control Plant is desired; and

WHEREAS, the cost of the nitrogen study is \$40,000.00; and

WHEREAS, the State of Connecticut Department of Environmental Protection has grant funds available to the City of Danbury for use in studying the discharge of nitrogen from the Water Pollution Control Plant; and

WHEREAS, the City of Danbury is eligible to receive grant funds of up to 55% of the cost of the study.

NOW, THEREFORE, BE IT RESOLVED that \$40,000.00 is appropriated to perform the nitrogen study, and Mark D. Boughton, as Mayor of the City of Danbury, is hereby authorized to execute and file applications, contracts and agreements on behalf of the City of Danbury with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Section 22a-475 through 483 of the General Statutes of Connecticut, as amended, and to execute on behalf of the City of Danbury all the applications, instruments, contracts and documents and accept payments and do all other things that may be necessary for state grants and loans.

The communication was received on the Consent Calendar and the resolution, which affirms the City's application for funding from the State of Connecticut Department of Environmental Protection for the purpose of studying nitrogen discharge levels from the water pollution control plant adopted.

7 – RESOLUTION – East Ditch Storm Drainage Easements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the Vision 2 bond package, is proceeding, through plans and designs, to make necessary improvements to the East Ditch Storm Sewer; and

WHEREAS, as one phase to said proposed improvements, the City will have to obtain eight (8) easements from property owners in order to accomplish project goals; and

WHEREAS, the properties to be acquired are described and identified in EXHIBITS A, B, C, D, E, F, G, and H attached hereto; and

WHEREAS, said easements will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Corporation Counsel, be and hereby is authorized to acquire the easements set forth on EXHIBITS A, B, C, D, E, F, G and H attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by September 2, 2004.

The communication was received on the Consent Calendar and the resolution authorizing the Corporation Counsel's Office to take the necessary action to acquire the easements outlined in the communication pertaining to the East Ditch storm drainage easement approved.

The communication was received on the Consent Calendar and the resolution authorizing the Corporation Counsel's Office to take necessary action to acquire the easements outlined in the communication pertaining to the East Ditch storm drainage easements adopted.

8 – RESOLUTION – Wooster Mountain Shooting Range Noise Abatement Study

RESOLVED by the Common Council of the City of Danbury:

Wooster Mountain Shooting Range Abatement Study
City Project No. 01-12

WHEREAS, the State of Connecticut Department of Environmental Protection, Bureau of Natural Resources in 2001 authorized a grant in the amount of \$45,000.00 for a noise abatement study surrounding the Wooster Mountain Shooting Range; and

WHEREAS, the City of Danbury, by it then Mayor Gene F. Eriquez, executed a Personal Services Agreement ("PSA") in 2001 in order to be able to commission said study with the funding provided; and

WHEREAS, because the study could not be completed within the specified time, an extension of said PSA was executed by Mayor Mark D. Boughton on February 11, 2003 through and including 12/31/03; and

WHEREAS, it is necessary that the time for completion of the study be again extended through 12/31/04 as permitted by the CTDEP, and a renewal of said grant to be obtained and authorized.

NOW, THEREFORE, BE IT RESOLVED that Mayor Mark. D. Boughton be and hereby is authorized to execute, on behalf of the City of Danbury, a "Grant Renewal" Personal Services Agreement with the State of Connecticut DEP in order to extend the provisions of the original PSA through 12/31/04 in accordance with the terms set forth in the revised PSA.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to execute the updated Personal Services Agreement outlined in the communication, for the purpose of continuing the noise abatement study pertaining to the Wooster Mountain Shooting Range adopted.

9 – COMMUNICATION – Promotions within the Danbury Police Department

Letter from Mayor Boughton requesting confirmation of the promotions of Police Officer James Lalli to the rank of Detective, Police Office Robert Ehrhard to the rank of Detective and Police Officer Ethan Mable to the rank of Detective within the Danbury Police Department.

Mrs. Teicholz made a motion to receive the communication and confirm the promotion of James Lalli to the rank of Detective. Seconded by Mr. Barry. Motion carried unanimously.

Mr. Trombetta made a motion to confirm the promotion of Robert Ehrhard to the rank of Detective within the Danbury Police Department. Seconded by Mr. Urice. Motion carried unanimously.

Mrs. McMahon made a motion to confirm the promotion of Ethan Mable to the rank of Detective within the Danbury Police Department. Seconded by Mrs. Basso. Motion carried unanimously.

10 – COMMUNICATION – Appointment as Youth Advisors to the Youth Commission

Letter from Mayor Mark Boughton requesting confirmation of James DePaoli and Ashley Harvey as Youth Advisors to the Danbury Youth Commission. The communication was received on the Consent Calendar and the appointments confirmed.

11 – COMMUNICATION – Reappointment to the Commission on Persons with Disabilities

Letter from Mayor Boughton requesting confirmation of the reappointment of Chad Sinanian to the Commission on Persons with Disabilities for a term to expire March 1, 2007. The communication was received on the Consent Calendar and the reappointment confirmed.

12 – COMMUNICATION – “Clean City Danbury”

Mr. Cavo asked that this be referred to an ad hoc committee, the Director of Public Works and the Director of Finance. Mayor Boughton so ordered and appointed Council Members Cavo, Basso and Esposito to the committee.

13 – COMMUNICATION – Donation to the Department of Elderly Services

Letter from Director of Elderly Services Susan Tomanio requesting permission to accept a donation from the Savings Bank of Danbury in the amount of \$200 for the specific purpose of purchasing an American Flag. Mr. Steinerd made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Visconti. Motion carried unanimously.

14 – COMMUNICATION – Donation to the Fire Department

Letter from Deputy Fire Chief Philip D. Curran requesting permission to accept a donation in the amount of \$500 from Connecticut Fair Plan for the purpose of purchasing a digital camera. Ms. Burns made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

15 – COMMUNICATION – Donation to the Library

Letter from Library Director Betsy McDonough requesting permission to accept a donation from the Cultural Commission in the amount of \$600. Mr. Nagarsheth made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Ms. Saracino. Motion carried unanimously.

16 – COMMUNICATION – Donations to the Welfare Department

Letter from Director of Welfare Deborah MacKenzie detailing the donations made to her department of volunteer hours and merchandise to the homeless shelter. Mr. Visconti made a motion to receive the communication, accept the donations and send letters of thanks. Seconded by Mr. Seabury. Motion carried unanimously.

17 – COMMUNICATION – Disposal of Surplus Vehicles & Equipment

Letter from Purchasing Agent Charles Volpe requesting permission to sell surplus vehicles and

equipment to the highest bidders pursuant to Section 2-153 of the Code of Ordinances. The communication was received on the Consent Calendar and the Purchasing Agent authorized to dispose of the vehicles and equipment outlined in the communication to the highest bidder.

18 – COMMUNICATION – Report regarding Request to Purchase City Land on Terrace Street

Mr. Urice asked that this be referred to an ad hoc committee, the Director of Public Works, the Corporation Counsel, the Tax Assessor, and the Board of Education. Mayor Boughton so ordered and appointed Council Members Cavo, Stanley and Visconti to the committee.

19 – COMMUNICATION – Road Widening Parcel and Sidewalk Easement – 146 South Street

Ms. Stanley asked that this be referred to an ad hoc committee, the Director of Public Works, the Corporation Counsel and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Seabury, Barry and Visconti to the committee.

20 – COMMUNICATION – Offer to Donate Land to the City – Westville Estates

Mr. Cavo asked that this be referred to an ad hoc committee, the Director of Public Works, the Corporation Counsel, the Tax Collector, the Director of Finance and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Nolan, Basso and Esposito to the committee.

21 – COMMUNICATION – Request for Sewer and Water Extensions – Scuppo Road

Mrs. Teicholz asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Bingaman, Teicholz and Barry to the committee.

22 – COMMUNICATION – Request for Sewer Extension – 15 Plumtrees Road

Mr. Saadi asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Burns, Saadi and Esposito to the committee.

23 – REPORT – Request for Water Extension – Oak Ridge Avenue

Ms. Saracino submitted the following report:

The Common Council Committee appointed to review the request for water extension on Oak Ridge Avenue met on February 23, 2004 at 7:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Saracino, Burns and Visconti. Also in attendance were Director of Public Works William Buckley, Len Morse from Covenant Construction and Council Members Basso, Cavo, Nolan, Esposito, Teicholz and Nagarsheth, ex-officio.

Ms. Saracino noted the positive recommendation from the Planning Commission. Mr. Buckley pointed out the project on a site map showing the water extension from Concord Road to Oak Ridge Avenue. This property is in West Terrace in the high service area. He estimates that the extension will be approximately 200 feet, but might prove to be 100 feet when the petitioner does his test holes in the spring. Mr. Buckley would recommend approval subject to the required eight steps.

Mr. Visconti made a motion to recommend approval of the water extension subject to the required eight steps. Seconded by Ms. Burns. Motion carried unanimously.

The report was received on the Consent Calendar and the request for water extension on Oak Ridge Avenue approved subject to the required eight steps as recommended by the committee.

24 – REPORT & RESOLUTION – Sewer and Water Projects Timetable

Mrs. Basso submitted the following report:

The Common Council Committee appointed to review a timetable for sewer and water projects met on February 17, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Basso, Bingaman and Saadi. Also in attendance were Corporation Counsel Robert Yamin, Director of Public Works William Buckley and Council Members Teicholz, Cavo and Barry, ex-officio.

Mrs. Basso stated that the Mayor sent a letter to the Common Council asking for a five-year moratorium on all previously submitted sewer and water projects. Mrs. Basso asked Mr. Buckley for his input. Mr. Buckley said he would not object to doing this. Many of the projects are those the Common Council has seen before.

Mr. Saadi passed out a rough draft of a resolution addressing this issue. Although he feels the issue needs to be addressed, he feels that five years is too long. He would suggest two years. A special exception would have to be made for health and safety reasons or other good causes. The proposed resolution reads as follows:

1. Prohibit the filing of any application or petition for sewer and/or water extensions, subject to the assessment process, for any street which previously comprised or was part of any such extension application or petition rejected by the Common Council within the previous five years.
2. Establish a special exception for accepting any such application or petition for good cause on health, safety and/or overriding general welfare concerns as determined by the Common Council; and
3. This resolution shall not apply to any petitioning street which the majority or plurality of property owners voted in favor of proceeding with the assessment process pursuant to a survey of the City.
4. This resolution may be sunsetted after two years.

Mr. Saadi pointed out that in the Carolyn Avenue sewer project a few streets were added in. They came in overwhelmingly against it and the Common Council removed them. He wants to make sure that those that are added in are not rejected because they were part of another application. Mr. Buckley said he does not have a problem with that but it makes things complex. Attorney Yamin asked Mr. Saadi if he wanted to adopt specific language? Mr. Saadi said that the Corporation Counsel's Office should draft a resolution from his outline. The special exception would have to be based on a determination by the Common Council, but to get to that point, someone would have to submit a petition.

Mr. Saadi made a motion to direct the Corporation Counsel to prepare a resolution consistent

with the language as outline above. Seconded by Mr. Bingaman.

Mr. Bingaman said that a three-year period might be too short to jump from one issue to the next. The original proposal was five years. The time period begins after the Common Council rejects the petition. Mr. Saadi said it is his opinion that five years is too long. Three years is long enough. The sunset provision is adequate.

Mr. Saadi offered an amendment to add a sunset provision of two years. Seconded by Mr. Bingaman. Motion carried unanimously.

Mr. Bingaman offered an amendment to add a five-year timetable rather than three years. Seconded by Mrs. Basso. Motion carried with committee members Basso and Bingaman voting in favor and Mr. Saadi opposed.

The main motion, as amended, carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it has been the experience of the City that from time-to-time petitions for sewer and/or water extensions have been filed with the City with respect to projects for which such petitions have recently been duly processed and considered and disapproved; and

WHEREAS, the procedures for considering such petitions are necessarily time-consuming and complex and consume considerable resources of the City departments and agencies involved therein, such that it would be imprudent to allow the re-filing of an essentially identical petition soon after the disapproval of said petition; and

WHEREAS, the Common Council now wishes to address the aforementioned problem of duplication in order to increase fairness and efficiency in the petitioning process.

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council hereby establishes the following rules and procedures regarding the timing of re-application petitions:

1. No application/petition for sewer and/or water extension subject to the assessment process shall be accepted with respect to any essentially identical application/petition filed and disapproved with the previous five (5) years. The Danbury Engineering Department shall review the application/petition and advise the Common Council as to whether or not any such repeat application/petition is in fact essentially identical to such previously filed application/petition, and the Common Council shall make the determination as to whether or not any such repeat application/petition is in fact essentially identical to such previously filed application/petition and the Council's determination shall be final and binding upon all parties. For purposes of determining the date of disapproval of any such previous filing, the effective date of such disapproval shall be the date of the vote of disapprovals by the Council.
2. Notwithstanding the above prohibition, for good cause shown based upon overriding considerations of health, safety or general welfare concerns there shall be a special exception to the above prohibition on multiple filings within the same 5-year period, for the acceptance of any such application/petition. The Common Council, in consultation with the Department of Health, and/or the Department of Engineering, and/or other appropriate City department or agency, shall determine if a particular application/petition shall be subject to this special exception, and the Common Council's determination as to whether or not such

application/petition should be accepted for processing under this special exception shall be final and binding upon all parties. The department or agency relied upon by the Common Council in making any such particular determination of exception shall make and deliver written findings of such exigent circumstances to the Common Council.

3. This Resolution shall not apply to any application/petition as to which the majority or plurality of property owners voted in favor of proceeding with the assessment process pursuant to a survey initiated by the City rather than by said property owner.

4. Sunset Provision: This Resolution shall expire within two (2) years after the date of its approval by the Common Council, if not extended by the Common Council.

Mr. Saadi made a motion to receive the report and adopt the resolution. Seconded by Ms. Saracino. Motion carried unanimously.

25 – COMMUNICATION – Pending Litigation

Mr. Nolan made a motion to move this item to the end of the agenda for executive session. Seconded by Mr. Saadi. Motion carried unanimously.

26 – DEPARTMENT REPORTS – Public Works, Department of Elderly Services, Welfare, Parks & Recreation, Health and Housing, Fire Chief, Police Chief, Fire Marshall, Permit Center, Building Department.

Mr. Nolan made a motion to receive the reports and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mrs. Basso. Motion carried unanimously.

At 8:10 P.M. Mr. Nolan made a motion to enter into executive session. Seconded by Mrs. Saracino. Motion carried unanimously. At 9:12 P.M. the Common Council reconvened in public session. Present at the executive session, in addition to the Common Council and the Mayor, were Deputy Corporation Counsel Eric Gottschalk, Director of Finance Dena Diorio, Director of Public Works William Buckley, Coordinator of Environmental Services Jack Kozuchowski, Assistant Corporation Counsel Les Pinter, Attorneys Robert Yamin and Dianne Yamin, Attorney Daniel Casagrande, Attorney Barry Fleishman and Attorney Kim Nolan.

25 – COMMUNICATION – Pending Litigation

Mr. Saadi made a motion to authorize Mayor Mark D. Boughton and the Corporation Counsel to process as outlined in the executive session regarding *Accashin v. City of Danbury* and *City of Danbury v. Cirma* and to execute all necessary documents. Seconded by Mr. Visconti. Motion carried unanimously.

Mayor Boughton extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Nolan at 9:15 P.M. for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Clerk

ATTEST:

MARK D. BOUGHTON, Mayor

Last Updated: Thursday, Mar 11, 2004

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

(203)797-4652
FAX: (203)796-1526

MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance *Dena*

DATE: February 24, 2004

SUBJECT: Downtown Special Services District

Attached you will find a resolution establishing the annual tax levy for the Downtown Special Services District in accordance with the provisions of Section 19B-7 of the Danbury Code of Ordinances. This proposed levy upon taxable interests in real property located within the district is derived from the annual district budget adopted pursuant to state and local law.

In accordance with Section 7-339(r) of the Connecticut General Statutes, it is the obligation of the Common Council to impose the recommended levy as a municipal levy for the benefit of the district. Please consider the adoption of this resolution in the usual fashion.

Please feel free to contact me should you require any additional information. Thank you.



186 Main Street, Danbury, CT 06810
Tel: 203-792-1711 Fax: 203-792-7981
info@citycenterdanbury.com
citycenterdanbury.com

February 18, 2004

Dena Diorio, Finance Director
City of Danbury
155 Deer Hill Ave.
Danbury, CT 06810

Dear Ms. Diorio:

Enclosed please find a copy of the 2004-2005 Operating Budget of the Danbury Downtown Special District as passed at the District's Annual Meeting on February 11, 2004.

It is our understanding that the new mill rate, if so set by the Common Council, will be .0017411 based on the October 1, 2003 Grand List.

Just for informational purposes, I have also included the Program Budget, which is funded by a City of Danbury grant and our fundraising activities.

Please forward this for Common Council approval.

Sincerely,

Kevin N. Barry
Acting Manager

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FINANCE DEPT.
FEB 18 2004

2004-2005 OPERATING BUDGET
DANBURY DOWNTOWN SPECIAL DISTRICT TAX LEVY
BASED UPON OCTOBER 1, 2003 GRAND LIST

Operating Expenses	FY '97-98 Actual	FY '98-99 Actual	FY '99-00 Actual	FY '00-01 Actual	FY '01-02 Actual	FY '02-03 Actual	FY03-04 Projected	FY '04-'05 PROPOSED
Rent	\$ 6,275	\$ 6,500	\$ 6,800	\$ 7,075	\$ 7,200	\$ 7,200	\$ 7,800	\$ 7,800
Utilities	3,484	4,679	4,143	4,776	3,400	4,307	4,600	4,600
Telephone	3,865	3,397	3,628	3,380	3,237	2,873	3,500	3,500
Supplies	978	904	1,389	687	926	1,050	1,000	1,000
Office Equipment/Furniture	225	1,824	2,153	114	558	3,999	250	250
Postage	4,184	4,695	3,217	2,289	746	1,003	1,200	1,200
Printing	1,048	2,391	2,055	802	205	506	900	900
Maintenance of Equipment	-	639	550	770	287	480	500	500
Director Salary	45,170	45,000	46,208	48,628	50,725	51,581	50,000	50,000
Part-Time Employment	8,924	9,095	16,148	17,800	15,879	14,000	15,000	15,000
Taxes	6,912	8,175	8,362	8,850	8,557	8,341	8,500	8,500
Benefits	6,589	8,413	8,569	7,594	8,296	9,200	8,400	8,400
Insurance (property/D&O)	5,604	4,633	5,378	5,589	9,053	12,655	9,000	9,000
Accounting/Audit	2,950	2,950	2,950	3,250	3,250	3,250	3,250	3,250
Professional Services	4,519	4,218	5,020	4,600	4,800	4,960	5,000	5,000
Conferences/Meetings	220	189	500	399	312	360	300	300
Travel (Local Mileage)	610	449	384	495	491	559	400	400
Contractual Services	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Memberships/Subscriptions	925	984	1,002	1,034	1,050	1,054	1,000	1,000
Educational Materials/Books	39	110	192	195	-	-	100	100
Miscellaneous	3,879	1,906	400	1,108	330	424	300	300
Advertising (Business Development)	1,037	3,900	2,208	1,910	1,222	1,005	1,000	1,000
Maintenance Supplies	1,155	1,097	1,744	1,358	2,147	1,177	1,500	1,500
Maintenance Salary	-	-	7,900	9,900	10,133	11,500	9,800	9,800
SUBTOTAL	\$ 111,092	\$ 118,648	\$ 133,400	\$ 135,103	\$ 135,304	\$ 143,984	\$ 135,800	\$ 135,800
General Development (Fund Balance)	15,595	7,124	20,149	20,900	18,782	7,225	15,000	-
TOTAL OPERATING EXPENSE	\$ 126,687	\$ 125,772	\$ 153,549	\$ 156,003	\$ 154,086	\$ 151,209	\$ 150,800	\$ 135,800
START OF FISCAL YEAR								
FUND BALANCE TOTAL	\$ 105,170	\$ 111,779	\$ 114,387	\$ 86,983	\$ 80,638	\$ 68,326	\$ 64,326	\$ 64,326
<i>(includes collected back taxes)</i>								
						Grand List	79,109,868	77,996,590
						Mill Rate	1.7166	1.7411

2004-2005 PROGRAM BUDGET
DANBURY DOWNTOWN SPECIAL SERVICES DISTRICT
CITY GRANT and FUNDRAISING REVENUE SOURCES

Program Expenses	Actual	Actual	Actual	Actual	Actual	Actual	Projected	PROPOSED
Maintenance Staff								
Coordinator Salary	\$ 18,692	\$ 23,750	\$ 18,067	\$ 10,000	\$ 15,700	\$ 19,109	\$ 17,000	\$ 17,000
Part-Time Salary	-	-	3,500	6,400	8,900	8,804	9,000	9,000
Part-Time Program Coordinator								
Employee Salary	-	7,475	12,699	10,309	15,000	14,220	16,000	16,000
Part-Time Festival Manager								
Employee Salary	1,570	1,620	1,700	-	-	-	-	-
Employee Taxes	120	-	1,400	1,600	2,200	2,700	2,900	2,900
Maintenance Supplies	-	-	-	-	-	-	-	-
TOTAL PROGRAM EXPENSE	\$ 20,382	\$ 32,845	\$ 37,366	\$ 28,309	\$ 41,800	\$ 44,833	\$ 44,900	\$ 44,900
TOTAL OPERATING EXPENSE <i>(from page 1)</i>	\$ 126,687	\$ 125,772	\$ 153,549	\$ 156,003	\$ 154,086	\$ 151,209	\$ 135,800	\$ 135,800
TOTAL BUDGET EXPENSE	FY '97-'98 Actual \$ 147,069	FY '98-'99 Actual \$ 158,617	FY '99-'00 Actual \$ 190,915	FY '00-'01 Actual \$ 184,409	FY '01-'02 Actual \$ 195,886	FY '02-'03 Actual \$ 196,042	FY 03-04 Projected \$ 180,700	FY '04-'05 PROPOSED \$ 180,700
START OF FISCAL YEAR								
FUND BALANCE TOTAL <i>(includes collected back taxes)</i>	\$ 105,170	\$ 111,779	\$ 114,387	\$ 86,983	\$ 80,638	\$ 68,326	\$ 64,326	\$ 64,326



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

**A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY DOWNTOWN
SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING
JULY 1, 2004 AND ENDING JUNE 30, 2005.**

SECTION 1. The sum of One Hundred Thirty Five Thousand, Eight Hundred Dollars (\$135,800.00) representing the gross appropriation for the City of Danbury Downtown Special Services District of One Hundred Thirty Five Thousand, Eight Hundred Dollars (\$135,800.00) for the fiscal year beginning July 1, 2004 and ending June 30, 2005, minus indirect revenues of \$ -0-, and minus estimated available "Surplus" of \$ -0-, is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the new tax assessment dated October 1, 2003 based upon a total net assessment of \$77,996,590.00.

SECTION 2. Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 2004 and ending June 30, 2005 with respect to said property interests within said District shall be as follows:

TAX RATE: 1.7411 MILLS

SECTION 3. The taxes levied and assessed as herein provided shall be due and payable in quarterly equal installments on July 1, 2004, October 1, 2004, January 1, 2005, and April 1, 2005 except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 2004, in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning on July 1, 2004 and ending June 30, 2005.



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

(203)797-4652
FAX: (203)796-1526

M E M O R A N D U M

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: **DUI ENFORCEMENT VEHICLE GRANT**
DATE: February 18, 2004

Attached for your review is a resolution that will allow the City of Danbury Police Department to apply for and accept grant funding from the State of Connecticut, Department of Transportation to purchase DUI enforcement vehicles. The State's share would be approximately \$29,480, or 80%, of the cost, and the City's share would be approximately \$7,370, or 20% of the cost. I have been advised by Chief Robert Paquette that the City's share will come from the 2003-04 Police budget.

Attached is a copy of the impact statement and budget received by this office for your review. The Common Council is requested to consider this resolution at its next meeting.

If you have any questions, feel free to give me a call.

DD/jgb

Attach.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Transportation, has made grant funds available to the City of Danbury for DUI enforcement; and

WHEREAS, the funding will cover 80% of the full cost of fully equipped DUI enforcement vehicle (\$36,850.00); and

WHEREAS, the City of Danbury is eligible to receive funds of approximately \$29,480.00; and

WHEREAS, the City of Danbury is required to provide 20% of the cost of the enforcement vehicles, or \$7,370.00.

NOW THEREFORE, BE IT RESOLVED that Mark D. Boughton, as Mayor of the City of Danbury, be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be necessary to effectuate the purposes of said grant application and the receipt of such grant.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2370

January 22, 2004

Dear Chief/Resident Trooper:

Subject: "DUI Enforcement Vehicle Program"

The Connecticut Department of Transportation's Division of Highway Safety is pleased to announce the availability of a limited amount of federal highway safety funds to support driving under the influence (DUI) law enforcement efforts in Connecticut. Enclosed is a grant application for the purchase of a vehicle, which would be dedicated to DUI enforcement. The grant allows for 80% federal reimbursement on the purchase of ONE fully equipped vehicle (cruiser; SUV; or motorcycle). The vehicle must be supplemental to your agency's standard complement of fleet vehicles, and marked as a "DUI Enforcement Vehicle".

The grant application should include a clear statement of the impaired driving problem in your jurisdiction, how the vehicle would be used to support your DUI enforcement/education efforts, and complete budgetary information.

Due to limited funding, agencies that have never received a DUI vehicle grant award will be given highest funding priority. Applications submitted by agencies that have previously purchased a vehicle through this grant program would be considered, pending the availability of remaining funds.

If you wish to apply for this grant, please complete and sign the enclosed Highway Safety Project Application form and return it with ORIGINAL SIGNATURES to the Division of Highway Safety by February 25, 2004. A detailed project application instruction sheet has been included to assist you.

Please return to:

Susan C. Maloney
Highway Safety Program Director
Connecticut Department of Transportation
Division of Highway Safety
P.O. Box 317546
Newington, CT 06131-7546

Please note the financial nature of the Federal Highway Safety Program. As a reimbursable federal program, all initial allowable expenses must be provided by your municipality/agency. Upon the conclusion of the enforcement program, an itemized claim form (to be provided with the project approval notice) must be submitted, with required documentation, to the Division of Highway Safety.

Upon receipt, this claim will be processed and a reimbursement of 80% of the allowable costs stipulated in the project approval will be made to the payee named on the claim.

If you have any questions or require any additional information, please contact Richard Squeglia of the Division of Highway Safety at (860) 594-2367.

Very truly yours,


Susan C. Maloney
Highway Safety Program
Director

Enclosure

D. EQUIPMENT

Identify all equipment to be purchased for this project. Only items specifically detailed in the budget will be eligible for federal reimbursement. Equipment purchased through this project must be used for highway safety purposes throughout its useful life. Any equipment purchased through a state agency administered project must also adhere to all state equipment control procedures.

E. INDIRECT COSTS

To increase the benefits of the limited federal funds available for individual projects, the Division of Highway Safety discourages the inclusion of this cost category.

F. MULTIAGENCY SUMMARY (IF APPLICABLE)

A multiagency summary is required when 2 or more agencies participate in the same highway safety project. List the total of each cost category for each agency and then total the dollar amounts for each agency.

INSTRUCTIONS FOR PAGE SIX

13. CONTINUATION AND COST ASSUMPTION

Describe how project activities will be supported when federal participation ends (if warranted).

INSTRUCTIONS FOR PAGE SEVEN

14. BUDGET SUMMARY

A. COST CATEGORY

Enter the budget category totals from the Budget Details Section (12).

B. SOURCE OF FUNDS

Indicate the source of funds anticipated to complete the project (federal, non-federal).

NOTE: The total budgeted costs and the source of funds total must agree.

FORM SUBMISSION INSTRUCTIONS

Submit a minimum of one typed application with original signatures.

State of Connecticut
Department of Transportation
Division of Highway Safety
2800 Berlin Turnpike
P.O. Box 317546
Newington, Connecticut 06131-7546

If you have any questions regarding completion of the DHS highway safety project application, please call 860-594-2370. If your application is approved, the Governor's Highway Safety Representative will sign your project application on page 1 beneath your agency's signatures. The project application will then become a project agreement. An approval letter will be sent to your agency and copy of the executed project agreement will be sent to the project director.

State of Connecticut Department of Transportation

DIVISION OF HIGHWAY SAFETY

2800 Berlin Turnpike

P.O. BOX 317546

Newington, Connecticut 06131-7546

594-2370

HIGHWAY SAFETY PROJECT APPLICATION

DHS

Division Of Highway Safety

REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS

PURPOSE

To provide potential Highway Safety Funding recipients with a comprehensive listing of regulations governing the administration of an approved highway safety project.

GENERAL REGULATIONS

1. The grant shall be administered by a governmental agency, either local or state, having authority and responsibility to conduct the project.
2. Grant expenditures must meet the following criteria:
 - A. **Supplement** rather than replace existing activities.
 - B. Be necessary and reasonable, and supported in the budget narrative.
 - C. Be eligible expenses under federal, state and local laws/regulations.
 - D. Conform to the federal common rule.
 - E. Be accorded consistent treatment through the application of generally accepted accounting principles.
 - F. Not be included as a cost of any other federally financed program.
 - G. Be net of all applicable credits.
 - H. Incur within an approved grant period.
 - I. Be adequately supported by source documentation.
 - J. Not result in a profit to the grantee.
3. All state agencies must have state budget authority to accept highway safety funds.
4. Only expenses contained within an approved grant budget may be claimed. Any deviations from the approved budget must have prior Division of Highway Safety (DHS) approval to be eligible for reimbursement. Back-up documentation (i.e. fully executed time distribution report) and proof of payment (i.e. cancelled checks) must accompany request for reimbursement.
5. All source documentation for incurred costs must be maintained for review purposes for a three-year period following the final reimbursement of the project.
6. All travel costs outside the state, extensive in-state trips, and conference registrations shall have **prior** written approval of DHS.
7. All agencies shall use purchasing practices and bid procedures that provide maximum open and free competition. In addition, positive efforts should be in effect to utilize small business and minority-owned business sources of supplies and services. The Minority Business Enterprise requirements of 49 C.F.R. Part 23 apply to this project.
8. The APPLICANT shall comply with the regulations of the United States Department of Transportation (Title 49, Code of Federal Regulations, Part 21), issued in implementation of Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 United States Code 2000d to 2000d-4. Further, the APPLICANT agrees and warrants that in the performance of this project, it will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religion, national origin, sex, sexual orientation, or physical disability, including but not limited to blindness, unless it is shown to be that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States, or the State of Connecticut, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the APPLICANT as related to the provisions of this section. (Section 4-114a and 4a-60a of the Connecticut General Statutes, as revised.)
9. Purchases must be in accordance with normal state and/or agency and/or town procedures. Purchases must also be in accordance with the requirements set forth in the Procurement Standards (based on "OMB Circular A-102, Attachment O"), available upon request. Conformance with the "Buy America Act" (23 U.S.C. 101 Note and 41 U.S.C. 10a) is required.

10. It is a requirement that all applicants comply with the "Drug Free Workplace Act of 1988" (49 C.F.R. Part 29 Subpart F).
11. The Division of Highway Safety MUST be notified (in writing) within thirty (30) days of the receipt of any equipment. Information provided shall consist of: name, model, serial number, cost, date of delivery taken, and a brief description of each article purchased. After the expiration date of this project, all non-expendable equipment purchased under this project will continue to be used in a Highway Safety-related effort. The APPLICANT shall notify the Division of Highway Safety immediately if any equipment purchased under this project ceases to be used in the manner set forth in this project application. In such event, the APPLICANT agrees to refund the residual value of such equipment in an amount to be determined by the Division of Highway Safety, or to transfer or otherwise dispose of such equipment as directed by the Division of Highway Safety. NO EQUIPMENT WILL BE CONVEYED, SOLD, SALVAGED, TRANSFERRED, OR OTHERWISE BE USED OTHER THAN EXPRESSLY DETAILED IN THIS APPLICATION WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE DIVISION OF HIGHWAY SAFETY.
12. The APPLICANT shall maintain or cause to be maintained for its useful life, any equipment purchased under this project. Standard procedures governing the ownership, use, and disposition of equipment acquired under this project are covered in the Property Management Standards (based on "OMB Circular A-102, Attachment N").
13. Any contracts entered into as part of this project's performance must receive written approval PRIOR to contract award.
14. Should the APPLICANT agency be audited, and the responsible unit, department, etc. of the grant be included as part of such audit, a copy of that applicable section [of said audit] must be forwarded to the Division of Highway Safety.

ORIENTATION MEETING

First time approved applicants may be required to participate in an orientation meeting to discuss program requirements.

MONITORING REVIEWS

DHS may conduct a monitoring review of your highway safety project. The purpose of this review is to determine adherence to stated project objectives, to review financial procedures, and to ensure compliance with federal regulations.

COST REIMBURSEMENT

1. Highway safety projects are funded on a cost reimbursement concept. An agency expends its own funds and then proceeds to claim reimbursement for the federal share of incurred project costs.
2. It is the responsibility of the **project director** to ensure that reimbursement requests are submitted on a timely basis.
4. ALL FINAL CLAIMS against this project, together with all supporting financial documentation, MUST be submitted to the Connecticut Division of Highway Safety no later than forty-five (45) days after the funding period ending date.

COST DOCUMENTATION

The accounting system and cost documentation presently in use by an agency is generally adequate for project purposes. If modification is necessary, DHS will notify you and assistance will be provided.

PROJECT TERMINATION

A project may be terminated if DHS concludes that the grantee is not in compliance with the conditions or provisions of a grant. DHS will extend an opportunity for the grantee to demonstrate compliance. Notification of termination will be in writing.

INSTRUCTIONS FOR COMPLETING APPLICATION FORM

INSTRUCTIONS FOR PAGE ONE

1. PROJECT TITLE

Enter a brief title of the program. Example, "Alcohol Enforcement Program."

2. GOVERNMENTAL UNIT

Enter the name of the political jurisdiction responsible for the overall administration of the project (state agency, municipality, university).

3. ADDRESS OF GOVERNMENTAL UNIT

Enter the complete address of the governmental unit including zip code.

4. APPLICANT

Enter the organizational unit responsible for the administration of the project, (i.e.: police agency).

5. ADDRESS OF APPLICANT

Enter the complete address of the applicant including zip code.

6. FEDERAL IDENTIFICATION NUMBER

Enter the nine-digit number assigned by the U. S. Department of Treasury, Internal Revenue Service, for tax reporting purposes.

7. ANTICIPATED GRANT START-UP DATE (Mo./Day/Yr.)

Enter the anticipated project start-up date.

8. ACCEPTANCE

8A. PROJECT DIRECTOR

Enter the full NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the person responsible for the overall administration of the project.

8B. FINANCIAL OFFICER

Enter the full NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the person responsible for the overall fiscal administration of the project.

8C. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT

Enter the NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the chief executive officer of the political subdivision (mayor, town manager, chief of police, university official, or state agency head).

The Authorizing Official, by his or her signature, assures that all Equal Employment Opportunity requirements will be met in carrying out the project.

NOTE: SIGNATURES - submit a minimum of one application form with original signatures.

INSTRUCTIONS FOR PAGE TWO

9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Describe in detail the specific problem to be corrected or impacted. Indicate the reason your current program or activity is not adequate and explain past efforts to resolve the problem. Provide supporting data, facts, or statistics that will substantiate the need for requested project.

INSTRUCTIONS FOR PAGE THREE

10. OBJECTIVES

Describe the objectives to be accomplished during this project. The objectives should be specific, clearly written, measurable, and time-framed. The project will be evaluated on the approved objectives.

INSTRUCTIONS FOR PAGE FOUR

11. ACTIVITIES AND PROCEDURES

Describe activities and procedures you will undertake to achieve each objective. Identify project personnel and responsibilities. Include activity timelines.

INSTRUCTIONS FOR PAGE FIVE

12. BUDGET DETAILS

The budget must contain a detailed list of the total proposed expenditures. The budget detail is to be prepared using the following cost categories for each participating agency. The format will be by cost category with columns for federal, non-federal (matching), and total dollars. Round each cost category to the nearest whole dollar.

A. PERSONNEL COSTS

(1) Salaries and wages

Include each classification separately, and identify its project function. Include the hourly rate of pay and hours or percentage of time to be charged to the project. Include total cost of salaries and wages.

(2) Fringe Benefits (IF APPLICABLE)

List and compute the dollar value for each fringe benefit separately. If the fringe is based on a percentage, indicate that percentage. If the fringe is based on a monthly cost, indicate that cost. Show total cost of fringe benefits. To increase the benefits of the limited federal funds available for individual projects, the Division of Highway Safety discourages the inclusion of this cost category. The Fringe Benefit Cost form is included in the grant application.

(3) Travel

Itemize all travel costs related to the project including transportation, lodging, and meals. Show adequate detail and computations to support the costs. Itemize costs as either "in-state" or "out-of-state." Identify the nature of the travel and explain how the travel will benefit the project.

B. CONTRACTUAL SERVICES

Contractual services are services of individual consultants or consulting firms engaged in performing special services pertinent to highway safety.

The DHS must approve any contract for services before the contract is finalized.

C. OPERATING COSTS

Materials used during the project period fall into this category. Examples of such items would be office supplies, postage and printing. Itemize each cost and provide detail including quantities and per item cost.

State of Connecticut Department of Transportation
DIVISION OF HIGHWAY SAFETY
2800 Berlin Turnpike
P.O. BOX 317546
Newington, Connecticut 06131-7546

594-2370

HIGHWAY SAFETY GRANT APPLICATION

* * * * *

All shaded portions of this application will be
completed by the Division of Highway Safety Planning.
Please do not print or type in these shaded areas.

DHS

SHADED AREA FOR DHS USE ONLY

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

DIVISION OF HIGHWAY SAFETY

PROJECT NO. 0184	
PROGRAM DESCRIPTION Alcohol	PROGRAM AREA 04 AL 164
DATE RECEIVED	DATE APPROVED

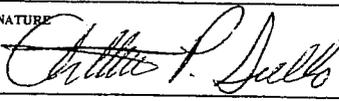
ACCEPTANCE—IT IS UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT FUNDS RECEIVED AS A RESULT OF THIS APPLICATION IS SUBJECT TO THE REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS. THIS AGREEMENT MAY BE TERMINATED BY EITHER PARTY IN ACCORDANCE WITH DHS POLICY. COPY OF POLICY OBTAINED UPON REQUEST.

HIGHWAY SAFETY PROJECT APPLICATION

1. PROJECT TITLE DUI Enforcement Vehicle Program	
2. GOVERNMENTAL UNIT City of Danbury	3. ADDRESS OF GOVERNMENTAL UNIT (W/ZIP CODE) 155 Deer Hill Ave., Danbury, CT 06810
4. APPLICANT Danbury Police Department	5. ADDRESS OF APPLICANT (W/ZIP CODE) 120 Main St., Danbury, CT 06810
6. FEDERAL IDENTIFICATION NO. 06-600-1868	7. ANTICIPATED PROJECT START-UP DATE May 15, 2004

APPROVED PROJECT PERIOD (MO./DAY/YR.) FOR DHS USE ONLY

FROM:	THROUGH:
-------	----------

8A. PROJECT DIRECTOR		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Arthur P. Sullo	(2) TITLE Captain	(3) TELEPHONE NO. 203-797-4538
(4) SIGNATURE 	(5) ADDRESS AND ZIP CODE Danbury Police Department 120 Main St., Danbury, CT 06810	

8B. FINANCIAL OFFICER		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Dena Diorio	(2) TITLE Finance Director	(3) TELEPHONE NO. 203-797-4652
(4) SIGNATURE	(5) ADDRESS AND ZIP CODE 155 Deer Hill Ave., Danbury, CT 06810	

8C. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Mark D. Boughton	(2) TITLE Mayor, City of Danbury	(3) TELEPHONE NO. 203-797-4511
(4) SIGNATURE	(5) ADDRESS AND ZIP CODE 155 Deer Hill Ave., Danbury, CT 06810	

APPROVAL-- (FOR DHS USE ONLY)

A. DHS STAFF EVALUATION RECOMMEND APPROVAL _____ RECOMMEND DENIAL _____	B. FISCAL REVIEW COMPLETED BY:	C. DATE
	D. PROGRAM REVIEW COMPLETE BY:	E. DATE
F. OBLIGATED FEDERAL FUNDS FY: 2004	G. NAME Susan C. Maloney	H. TITLE Governor's Highway Safety Representative
	I. SIGNATURE	J. DATE

THIS ACTION: \$
PREVIOUS: \$
TOTAL: \$

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE	CITY OF DANBURY, CONNECTICUT

9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Rates of drinking and driving remain unacceptably high among U.S. adults, according to data received from the National Highway Traffic Safety Administration (NHTSA). In 2001 America experienced the largest percentage increase in alcohol-related traffic deaths on record. 17,448 people were killed in alcohol-related crashes, an average one every half hour. These deaths constituted approximately 41 percent of the 42,116 total traffic fatalities. Connecticut experienced 312 traffic related fatalities in 2001 with 158 being alcohol related or 45 percent of all traffic related fatalities being alcohol related. In 2001, we have seen the national average remain at 41 percent while Connecticut's average has raised to 51 percent of all traffic related fatalities being related to alcohol.

According to NHTSA (2001), about three in every ten Americans will be involved in a alcohol-related crash sometime in their lives. Of the average driving age public, 98 percent see drinking and driving as a threat to their personal safety, and 86 percent feel it is very important to do something to reduce the problem. An estimated 275,000 persons were injured in crashes where the police reported that alcohol was present.

Danbury has seen a raise in DUI arrests over the past year from 225 in 2002 to 228 in 2003. So far in 2004 Danbury Police Officers have arrested 14 DUI operators.

Danbury Police Department responded to 4615 motor vehicle accidents in 2002, rising to 4990 in 2003. Of the 4615 MVAs in 2002, 3 were fatalities. Each one of these fatalities were alcohol or drug related. Of the 4990 MVAs in 2003, 4 were fatalities. Again each of these fatalities, in 2003, were alcohol or drug related. This trend is consistent with national averages for alcohol-related accidents and arrests.

Danbury is the seventh largest city in the State of Connecticut with a recorded population of approximately 75,000, according to the census. It is comprised of 44 square miles and has approximately 230 miles of roadway. It is also the home of Western Connecticut State University, which has a full time enrollment of 5000 students with in its two campuses. Located within the City limits are approximately 20 liquor stores and approximately 115 alcohol serving establishments. Centrally located within the center of the City of Danbury is the Dining and Entertainment district, which consists of numerous restaurants and nightclubs. Historically this area is plagued by alcohol related offenses and is frequented by many patrons from out of town.

Currently the Danbury Police Department uses a multi prong approach to DUI awareness and enforcement. Currently DPD uses both random patrols and checkpoints to identify and arrest intoxicated operators. In addition to this, DPD utilizes its traffic reconstruction unit to supplement enforcement activity. Reconstructionists also reach out to members of the community and the members of various Fairfield County Police Departments. They instruct those people on issues and concerns relating to alcohol motor vehicle offenses.

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE	CITY OF DANBURY, CONNECTICUT

10. OBJECTIVES

The objective of the DUI ENFORCEMENT grant is to purchase one four wheel drive sports utility vehicle that will be primarily used for proactive DUI activities and proactive seatbelt and other traffic enforcement activities. This will include random DUI enforcement patrol assignments and participation in all citywide educational outreach programs. This vehicle would also be available to the accident reconstruction team who would respond to accidents with serious injuries and fatalities. Those responding to fatalities and serious accidents are Police Certified Accident Reconstructionists. This vehicle will also compliment and improve the overall efficiency of the DPD DUI checkpoint program by allowing storage and transportation for required equipment for setting up a DUI checkpoint.

The vehicles markings will be consistent with current DPD patrol vehicles with the addition of "DUI & TRAFFIC ENFORCEMENT". The idea behind this is to build the public's awareness of the DPD commitment to removing the DUI operator from our roadways and streets. This would provide a highly visible deterrent to DUI operators and other traffic law offenders. This would also send the message that the DPD is committed to making our streets safer by enforcing DUI and other traffic offenses.

It is the intention of the DPD to also utilize this vehicle at citywide functions such as trade shows, safety days/fairs, and other media outreach events to promote the public's awareness of driving under the influence, danger, laws, and related issues. This vehicle would also be available to traffic Accident Reconstructionists for use at annual mock crash programs put on by our local high schools.

This vehicle will be equipped with the necessary equipment for DUI detection, public educational outreach, and response to fatal and serious injury accidents.

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE	CITY OF DANBURY, CONNECTICUT

11. ACTIVITIES AND PROCEDURES

The Danbury Police Department (DPD) has many proactive plans for the use of this DUI enforcement vehicle that would allow for new initiatives and would compliment our current strategies. This vehicle would be assigned to the Traffic Division of the DPD. This vehicle will be used not only to make the public aware of our DUI enforcement activities due to its markings, but also to access remote areas of our 44 square mile city. These remote areas are known locations where underage drinking of alcohol occurs. Some of these locations are the Tarrywile Park property, the Bear Mountain Reserve, Candlewood Lake, and other rough terrain properties throughout the city.

Since this vehicle will be marked with DUI & TRAFFIC Enforcement and consistent with our current patrol vehicle markings it will provide a visual deterrent to both the underage operator and the adult driver who may consider drinking and driving. This vehicle will specifically be used during DUI enforcement programs throughout the year including all checkpoint activities.

Members of the Traffic Division will utilize this vehicle at all DPD educational outreach activities, citywide functions, safety day fairs and including mock crashes at our local high schools. This vehicle will contain educational pamphlets to be handed out at various events to raise the awareness of the dangers of drinking and driving. This will result in hundreds of positive citizen contacts.

In addition to the above-mentioned activities this DUI vehicle will be used to compliment DPD's current checkpoint activities. This vehicle will be outfitted to allow us to simultaneously operate two separate checkpoints within our city. This vehicle can also be combined with our mobile operations center to operate a full-scale effort in one targeted location. This vehicle will be equipped with a mobile data computer to add efficiency to our checkpoints but also reduce the impact on the legally traveling public by reducing the duration of their stop. This vehicle will have the necessary traffic cones and signs required by law when operating a DUI checkpoint.

The Danbury Police Department believes in a philosophy of multi-jurisdictional cooperation with surrounding towns and their police departments. We have aided and will continued to aid and assist smaller departments in our area with their outreach efforts. This vehicle, with the permission of the Chief of Police, will be made available to these said departments for regional DUI outreach activities.

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE	CITY OF DANBURY, CONNECTICUT

11. ACTIVITIES AND PROCEDURES Continued

The City of Danbury currently has three high schools. One of these has the largest student population of a high school in the State of Connecticut. Danbury also has two middle schools, and approximately 15 elementary schools. DPD is strongly involved in the School Resource Officer program and has seven officers assigned fulltime in our school system. This vehicle would be made available to Accident Reconstructionists for educational/awareness activities to include mock DUI crash demonstrations. These demonstrations mock a fatal crash involving the use of alcohol and the death one of their peers to make students aware of the dangers of drinking and driving.

A substantial amount of planning and thought has been put into the intended use of this vehicle. However we cannot anticipate all uses of this vehicle. The use of this vehicle will be limited by the imagination of the officers using them.

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE	CITY OF DANBURY, CONNECTICUT

12. BUDGET DETAIL

Equipment Description

1. Ford SUV 4x4 w/ Police Package	\$ 25800.00
2. Emergency Lighting Package/Siren Package	\$ 3100.00
3. Police Mobile Radio	\$ 700.00
4. Rear Equipment Compartment	\$ 1000.00
5. Striping and lettering	\$ 350.00
6. Motorola Mobile Data Terminal w/ Modem	\$ 5900.00

Total	\$ 36850.00
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PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE PROGRAM	DANBURY POLICE DEPARTMENT

13. CONTINUATION AND COST ASSUMPTION:

The Danbury Police Department and City of Danbury will assume all additional costs of maintaining this specialized vehicle for the expected lifetime of the vehicle. Most police vehicles are maintained for up to 100,000 miles or more of operation or for as long as safety is not an issue. This vehicle will be permanently assigned to the Danbury Police Traffic Enforcement Unit.

The Danbury Police primary officer assigned to investigate serious and fatal accidents will have primary use of the vehicle during regular assigned duty hours. Other Danbury officers that are trained in motor vehicle accident reconstruction will be additionally assigned use of this special use vehicle.

Officers assigned to DUI & Seatbelt selective enforcement duties will too be assigned use of the vehicle when the vehicle is non operational by regular selected officers.

All officers that are assigned use of this vehicle agree to direct not direct patrol time to DUI enforcement during all hours of vehicle operation.

PROJECT TITLE	APPLICANT
DUI ENFORCEMENT VEHICLE PROGRAM	DANBURY POLICE DEPARTMENT

14. BUDGET SUMMARY

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	TOTAL
PERSONNEL SERVICES	\$ XXXXXXXXXXXXX	FEDERAL FUNDS 80%	\$ 29,480.00
CONTRACTUAL SERVICES	\$ XXXXXXXXXXXXX	NON-FEDERAL 20%	\$ 7,370.00
OPERATING COSTS	\$ XXXXXXXXXXXXX	TOTAL FUNDS	\$ 36,850.00
EQUIPMENT	\$ 36,850.00		
INDIRECT COSTS	\$ XXXXXXXXXXXXX		
TOTAL BUDGETED	\$ 36,850.00		

BUDGET SUMMARY APPROVAL (DHS USE ONLY)

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	TOTAL
PERSONNEL SERVICES	\$ XXXXXXXXXXXXX	FEDERAL FUNDS 80%	\$
CONTRACTUAL SERVICES	\$ XXXXXXXXXXXXX	NON-FEDERAL 20%	\$
OPERATING COSTS	\$ XXXXXXXXXXXXX	TOTAL FUNDS	\$
EQUIPMENT	\$		
INDIRECT COSTS	\$ XXXXXXXXXXXXX		
TOTAL APPROVED	\$ XXXXXXXXXXXXX		



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Transportation, has made grant funds available to the City of Danbury for DUI enforcement; and

WHEREAS, the funding will cover 80% of the full cost of fully equipped DUI enforcement vehicle (\$36,850.00); and

WHEREAS, the City of Danbury is eligible to receive funds of approximately \$29,480.00; and

WHEREAS, the City of Danbury is required to provide 20% of the cost of the enforcement vehicles, or \$7,370.00.

NOW THEREFORE, BE IT RESOLVED that Mark D. Boughton, as Mayor of the City of Danbury, be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be necessary to effectuate the purposes of said grant application and the receipt of such grant.



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 25, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

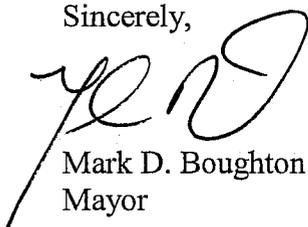
Dear Common Council Members:

The City of Danbury Redevelopment Authority approved a developer's proposal for RDA Parcel #9 on Patriot Drive last year. Patriot Plaza Associates, LLC plans to construct a new office building on the site near the Metro North Train Station. This exciting project provides CityCenter Danbury with an important economic development opportunity.

Part of this site contains environmental hazardous material and requires remediation. The Connecticut Brownfields Development Authority offers a unique program to assist developers and municipalities with redevelopment opportunities like Patriot Plaza. The program requires city participation therefore I will appoint a Common Council Ad Hoc Committee to consider this important economic development opportunity.

Thank you for your consideration of this matter.

Sincerely,



Mark D. Boughton
Mayor



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 25, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

The City of Danbury has a great opportunity to jump-start the Mallory Hat factory site environmental cleanup project with a grant from the United States Department of Environmental Protection. An environmental analysis for cleanup of the site was completed several years ago and indicates a cost exceeding \$600,000 for environmental remediation. I propose your authorization of an application to the EPA Brownfields Program for a \$200,000 grant to begin the cleanup operations.

The Mallory Hat site has good potential for future development in a strategic area of our redevelopment efforts. I will appoint a Common Council Ad Hoc Committee to consider this important economic development opportunity.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Boughton", written over the printed name and title.

Mark D. Boughton
Mayor



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

Whereas, the former Mallory Hat Factory property on Rose Hill Avenue, owned by the City through foreclosure, is limited from resale due to levels of contamination in the soils that resulted from past industrial operations; and

Whereas, a detailed environmental assessment and Remediation Design conducted for the City by Marin Environmental Inc has developed Phase I and Phase II Environmental Assessment Reports; and

Whereas, the Environmental Protection Agency (EPA) is offering funds for clean up of Brownfield properties through the Brownfield Clean-up grant program, offering up to \$200,000.00 with a 20% City match; and

Whereas, the City of Danbury will be providing the 20% cash match for this project if awarded the grant.

Now, Therefore be it Resolved that the Common Council authorizes the Danbury Health Department to apply to the Environmental Protection Agency (EPA) for a Brownfield clean-up grant for \$200,000.00, and to authorize the Mayor to accept such funds, if awarded, and enter into any contractual agreements with the EPA that would allow the execution of said grant.



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 24, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

The City of Danbury is launching a new initiative to expand our current lead safety education and outreach efforts. Danbury has recently begun participation in a consortium of State agencies and other municipalities coordinated by LAMPP (Connecticut Lead Action for Medicaid Primary Prevention). The \$5.6 million program will conduct lead education, hazard analysis and lead hazard prevention and abatement in our community.

The attached grant application for the United States Conference of Mayors – DuPont Spotlight on Excellence Awards is designed to provide phase two funding of Danbury's Lead Safety Outreach Program. Awards will range from \$20,000 to \$35,000 and require no city financial match.

Thank you for your consideration of this application.

Sincerely,

Mark D. Boughton
Mayor

Attachment



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Conference of Mayors and DuPont are sponsoring a *Spotlight on Excellence Awards* program, focusing on lead safety educational outreach campaigns; and

WHEREAS, three cities that propose outstanding approaches to educate their communities on the importance of lead safety will be chosen for an award ranging from \$20,000.00 to \$35,000.00 without City matching funds; and

WHEREAS, any award funding obtained is proposed to be leveraged into the LAMPP (Connecticut Lead Action Medicaid Primary Prevention) consortium of State agencies and other municipalities formed to conduct lead education, hazard analysis and lead hazard prevention and abatement.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton or his designee, Director of Health William Campbell be and hereby is authorized to submit said application for award(s) and to take such and additional steps as may be necessary to accomplish the purposes hereof.



Spotlight on Excellence Awards

Competition 2

Grant Application Form

**The United States Conference of Mayors-DuPont
Spotlight on Excellence Awards**



FOCUS: Competition 2

The second *USCM-DuPont Spotlight on Excellence Awards* competition will focus on lead-safety educational outreach campaigns. The USCM and DuPont will reward three successful cities that propose outstanding approaches to educate their communities on the importance of lead-safety. A successful application can include, but is not limited to, any proposals that concern city efforts to begin, continue or leverage educational campaigns to: pre-school, after school and elementary school programs, homeowner and renter education, pregnant women, minority and non-English speaking communities.

DEADLINE: March 5, 2004

MAYOR AND CONTACT INFORMATION:

Name of Mayor – The Honorable: Mark D. Boughton

City Hall Address: 155 Deer Hill Avenue

City: Danbury State: CT ZIP: 06810

Mayor's Telephone: (203) 797-4511

Mayor's Fax: (203) 796-1666

City Contact Name: William Campbell

Address: 155 Deer Hill Avenue

City: Danbury State: CT ZIP: 06810

Telephone: (203) 797-4625

Fax: (203) 796-1596

Email: b.campbell@ci.danbury.ct.us

Applicants will receive a postcard sent as acknowledgement of receipt of their application.
All awards correspondence will be sent to those designated contacts only.

Please send essay and application form to:

USCM-DuPont Spotlight on Excellence Awards
Attn: Ms. Ellen King
The U.S. Conference of Mayors
1620 Eye Street, NW
Suite 300
Washington D.C. 20006
eking@usmayors.org

City of Danbury Grant Proposal
USCM-DuPont Spotlight on Excellence Awards
Competition #2 Lead-Safety Educational Outreach Campaigns

PROGRAM DESCRIPTION

Danbury proposes to use the funds from this grant to supplement and expand our current lead safety education and outreach efforts. Danbury has recently begun participation in a consortium of State agencies and other municipalities coordinated by LAMPP (Connecticut Lead Action for Medicaid Primary Prevention). The LAMPP consortium has been awarded two grants from HUD totaling \$5.6 million dollars to conduct lead education, hazard analysis and lead hazard prevention and abatement in participating communities. Danbury will use any funds awarded to leverage the LAMPP funding to reach more Danbury households.

Danbury is a city with a population of 75,000. While our current elevated blood lead levels are low, our housing stock is aging and we have seen a large influx of persons of lower incomes. Danbury has 3,250 units of pre-1940 housing, which represents 20% of our rental housing stock. Much of the growth in our lower income population involves persons speaking a primary language other than English. These factors support the need for outreach efforts both to educate target populations regarding lead safety and for lead hazard abatement activities in our older housing stock.

The Connecticut Department of Social Services serves as the point agency for the Connecticut LAMPP project. The LAMPP project is administered and staffed by personnel at the Connecticut Children's Medical Center. These same persons administered a successful State-funded pilot program. The LAMPP program will coordinate efforts with the participating municipalities, including Danbury. Danbury's prime agency with respect to this program is the Health and Housing Department. The City has pledged in-kind services to support the program, mainly in the form of services of department personnel engaged in code enforcement, lead prevention and abatement activities. Department staff will assist the LAMPP program's education and prevention efforts through the referral of families with at-risk children, the identification of building owners serving eligible residents and outreach/publicity to target populations.

Qualified families who live in pre-1978 houses are eligible for prevention counseling. Health educators supplied by LAMPP with the cooperation of the Yale-New Haven Regional Lead Treatment Center will have the primary contact with Danbury families. They will provide in-home health education for families regarding the impact of lead poisoning, locations of lead hazards in the home and what the family can do to reduce risks to their children. Families are taught to identify potential hazards, undertake lead safe home repair, how to prevent and clean lead dust and the importance of nutrition in preventing lead poisoning. The educators will also coordinate activities with the LAMPP risk assessment and abatement service providers, which is the focus of the second of the two HUD grants received by LAMPP. Should hazard abatement be undertaken in a unit, the educators will also coordinate tenant relocation and re-occupancy scheduling.

A priority population for this project is Medicaid enrolled children under six years old who have elevated blood levels of 10 to 19 ug/dl or are at risk of elevated blood lead. Children with blood lead levels of 20 ug/dl or higher will be referred to the Health and Housing Department for lead abatement pursuant to the Connecticut lead regulations. LAMPP will work with the department, Medicaid managed care organizations and medical care providers to refer Medicaid enrolled children with elevated blood lead levels for education and follow-up services. The Health and Housing Department will take the lead in tracking and referring children based on required reporting of lead results to the director of health. Informed consent will be obtained from parents for participation in the LAMPP project. The department will also work with LAMPP to adapt their educational materials to reach the large non-English speaking communities in Danbury, including Spanish and Portuguese-speaking populations.

Another important goal of the educational component of the LAMPP project is to increase the number of contractors and homeowners trained in lead-safe practices so that home renovation and hazard reduction can be done in a safe and effective manner. Training will be coordinated by LAMPP educators. This means that LAMPP will increase the awareness of lead safety on the part of Danbury contractors and produce a reservoir of trained home-improvement personnel.

In addition to contributing to the LAMPP funds available for lead safety activities in Danbury, the USCM grant would indirectly leverage direct investment on the part of Danbury property owners. As part of the hazard remediation portion of the LAMPP project, funds will be provided for lead hazard remediation and abatement. Receipt of this assistance is conditional upon the property owner correcting code violations and providing a minimum private investment of \$600 per unit.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Conference of Mayors and DuPont are sponsoring a *Spotlight on Excellence Awards* program, focusing on lead safety educational outreach campaigns; and

WHEREAS, three cities that propose outstanding approaches to educate their communities on the importance of lead safety will be chosen for an award ranging from \$20,000.00 to \$35,000.00 without City matching funds; and

WHEREAS, any award funding obtained is proposed to be leveraged into the LAMPP (Connecticut Lead Action Medicaid Primary Prevention) consortium of State agencies and other municipalities formed to conduct lead education, hazard analysis and lead hazard prevention and abatement.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton or his designee, Director of Health William Campbell be and hereby is authorized to submit said application for award(s) and to take such and additional steps as may be necessary to accomplish the purposes hereof.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

(203)797-4652
FAX: (203)796-1526

M E M O R A N D U M

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: STATE GRANT NITROGEN REMOVAL, WATER
POLLUTION CONTROL PLANT
DATE: February 24, 2004

Attached you will find a resolution and a copy of a grant agreement, which will allow the City to apply for a grant from the State Department of Environmental Protection to study ways of reducing nitrogen discharges from the water pollution control plant into the Still River. The total estimated cost of the project is \$40,000 of which the State grant is estimated to be \$31,000. The City share of \$9,000 will be available from the Sewer Operating Fund. This resolution was originally approved at the September 2002 Common Council meeting.

Therefore, I would ask that the Common Council reaffirm approval of this resolution. If you have any additional questions, feel free to give me a call.

DD/jgb

A G R E E M E N T

THIS AGREEMENT, made and entered into at Hartford, Connecticut by and between the STATE OF CONNECTICUT, hereinafter referred to as the "STATE", acting herein by the COMMISSIONER OF ENVIRONMENTAL PROTECTION, hereinafter referred to as the "COMMISSIONER" or "GRANTOR", duly authorized under the provisions of Connecticut General Statutes, Section 22a-6 (a)(2), and the CITY OF DANBURY, a municipal corporation hereinafter referred to as the "MUNICIPALITY" or "CONTRACTOR".

WHEREAS, Sec. 22a-478, subsection (e)(2), as amended, reads as follows: In lieu of a grant and loan pursuant to subsection (b) of this section, the commissioner, upon written request by a municipality, may make a project grant to such municipality in the amount of fifty-five per cent of the cost approved by the commissioner for the planning phase of an eligible water quality project.

WHEREAS, the MUNICIPALITY is now initiating planning efforts for the preparation of a Nitrogen Removal Study, referred to as the PROJECT, and

WHEREAS, it has been determined that the estimated cost eligible for state grant is:

Technical Services		\$40,000
Contingency (5%)		<u>\$2,000</u>
Total	=	\$42,000
		<u>x 55%</u>
Planning Grant	=	\$ 23,100

IN CONSIDERATION of the mutual covenants to, promises and representations contained herein, the parties hereby agree as follows:

THE MUNICIPALITY AGREES:

1. To proceed promptly with the preparation and completion of such engineering report and submission thereof to the COMMISSIONER by February 1, 2005.
2. To pay that part of the total cost of the project which is in excess of the applicable state grant.
3. To properly execute all forms and applications prescribed by the COMMISSIONER.
4. To keep separate accounts by project for the receipt and disbursement of all eligible funds for the proposed project.
5. The Municipality agrees that it will have its financial records audited at the close of the municipality's fiscal year and provide that audit to the Commissioner, all in accordance with Connecticut General Statutes Section 7-396a and Sections 4-230 through 4-236. and any applicable Regulations which are or may be promulgated.
6. To expend such funds solely for the purpose of preparing the project.
7. To establish an Account with the State of Connecticut Tax Exempt Bond Fund.

THE COMMISSIONER AGREES:

1. To make a grant to the MUNICIPALITY in the amount of \$23,100 or 55% of \$42,000 the cost of the preparation of the engineering report.
2. The Project Grant Advances shall be wired by the State to the account established with the Tax Exempt Bond Fund upon written request from the Municipality to the State accompanied by invoices which evidence that such amounts have been incurred by or on behalf of the Municipality for the payment of Project Costs. Each such request from the Municipality shall indicate (a) the total amount of the costs incurred for the Project which have not been included in any prior request, (b) the total amount of such costs which are Eligible Project Costs, and (c) the amount of the Project Grant Advance (55% of the amount in (b)). Provided the Municipality submits such request and evidence on or before noon of the second business day of the month, the State agrees that it shall wire payment of the Project Grant Advance to the Account by the thirteenth business day of such month.

THE COMMISSIONER AND THE MUNICIPALITY FURTHER AGREE:

1. That if the total eligible cost as finally determined by the COMMISSIONER is less than the estimated cost herein contained, the amount of the grant as now estimated shall be reduced accordingly and the MUNICIPALITY shall reimburse the COMMISSIONER in the amount of any overpayment.
2. That if the total eligible cost as finally determined by the COMMISSIONER exceeds the estimated cost herein contained, the amount of the grant as now estimated shall

be increased accordingly, subject to the terms and conditions of this Agreement and the approval of the State Bond Commission.

3. That the contract shall terminate when the final payment is made.

PURSUANT TO PROVISIONS OF CONNECTICUT GENERAL STATUTES SEC. 4a-60

and 4a-60a.

(a) Every contract to which the State or any political subdivision of the State other than a municipality is a party shall contain the following provisions: (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved; (2) the contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the commission; (3) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided

by the commission, advising the labor union or worker's representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the contractor agrees to comply with each provision of this section and Connecticut General Statutes Sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to Connecticut General Statutes Sections 46a-56, 46a-68e and 46a-68f; (5) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56. If the contract is a public works contract, the contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works project.

(b) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of Connecticut General Statutes Section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

(c) Determination of the contractor's good faith efforts shall include but shall not be limited to the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the commission, of its good faith efforts.

(e) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes Section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

(f) Every contract to which the state or any political subdivision of the state other than a municipality is a party shall contain the following provisions: (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the contractor agrees to provide

each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to Section 46a-56 of the Connecticut General Statutes; (4) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56 of the Connecticut General Statutes.

(g) The contractor shall include the provisions of sub-section (f) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56 of the Connecticut General Statutes; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

The contractor agrees to comply with the regulations referred to in Sections 4a-60 and 4a-60a of the Connecticut General Statutes as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971 and, as such, this contract may be cancelled, terminated or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three or any state or federal law concerning nondiscrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to nondiscrimination, until the contract is completed or terminated prior to completion.

The contractor agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that he will not discriminate in his employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner.

This contract is subject to the provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such, this contract may be cancelled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference

and made a part hereof. The parties agree to abide by said Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service.

This contract is subject to the provisions of Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, and, as such, this contract may be canceled, terminated or suspended by the state for violation of or noncompliance with said Executive Order No. Sixteen. The parties to this contract, as part of the consideration hereof, agree that Executive Order no. Sixteen is incorporated herein by reference and made a part hereof and agree that a requirement for compliance with Executive Order No. Sixteen shall be include in any subcontracts or other compliance that may result from the contract. The parties agree to abide by such executive order.

The State of Connecticut assumes no liability for payment under the terms of this contract until said contractor is notified by the Department of Environmental Protection that said contract has been approved by the Attorney General of the State of Connecticut.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, a study of the discharge of nitrogen by the Water pollution Control Plant is desired; and

WHEREAS, the cost of the nitrogen study is \$40,000.00; and

WHEREAS, the State of Connecticut Department of Environmental Protection has grant funds available to the City of Danbury for use in studying the discharge of nitrogen from the Water Pollution Control Plant; and

WHEREAS, the City of Danbury is eligible to receive grant funds of up to 55% of the cost of the study.

NOW THEREFORE, BE IT RESOLVED that \$40,000.00 is appropriated to perform the nitrogen study, and Mark D. Boughton, as Mayor of the City of Danbury, is hereby authorized to execute and file applications, contracts and agreements on behalf of the City of Danbury with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Section 22a-475 through 483 of the General Statutes of Connecticut, as amended, and to execute on behalf of the City of Danbury all the applications, instruments, contracts and documents and accept payments and do all other things that may be necessary for state grants and loans.



7

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

February 9, 2004

Honorable Mark D. Boughton
Common Council ✓
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

East Ditch Storm Drainage -- Easements
Project No. 01-16

Enclosed please find copies of the easement maps and proposed legal descriptions prepared by our department for eight more storm drainage easements required for the East Ditch storm drainage project. The easements required are as follows:

Lot No. I15304	Kittle Realty Corporation 2 Park Place
Lot No. I15303	Mario Turriago, Vincent Turriago and Daniel Turriago 4 Park Place
Lot No. I15302	Turgut Kumantas 6 Park Place
Lot No. I15301	Helen Kehagias and Emmanuel G. Kehagias 8 Park Place
Lot No. I15321	Danbury Commons Limited 51 Main Street
Lot No. I15317	Elmwood Park Realty, LLC 58 Main Street
Lot No. I15316	General Equities, Inc. 63 Main Street
Lot No. I15306	DATAHR Rehabilitation Institute, Inc. 65 Main Street

page 2

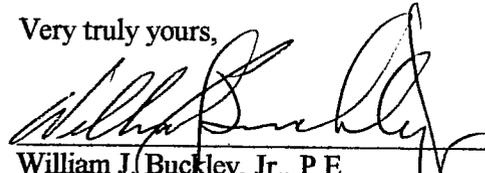
Also enclosed are copies of the revised map and revised legal description for an easement previously forwarded to you under cover of my letter dated September 25, 2002:

Lot No. I14372 Acacio and Emilia Fernandes
Liberty Street and Keeler Street

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire these easements.

If you have any questions, please give me a call.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

WJB/PAE/pe
Encl.

C: Eric L. Gottschalk, Esq., with encl. (3 copies each)

KITTLE REALTY CORPORATION
2 PARK PLACE
(TAX ASSESSOR'S LOT No. I15304)

A certain piece or parcel of land containing 418 square feet (0.0096 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 2 Park Place, being a portion of Tax Assessor's Lot No. I15304, bounded and described as follows:

Commencing at a point being the southwesterly corner of the land of the Grantor and also being the southeasterly corner of land now or formerly of Datahr Rehabilitation Institute, Inc., said point being the southwesterly corner of land herein described, thence running northerly along the westerly boundary line of the Grantor N. 29° 38' 04" W. a distance of 9.82 feet to a point, thence turning and running easterly through the land of the Grantor N. 54° 43' 44" E. a distance of 51.99 feet to a point, thence turning and running southerly through the land of the Grantor S. 34° 17' 04" E. a distance of 6.22 feet to a point on the southerly boundary line between the land of the Grantor and land now or formerly of Elmwood Park Realty, LLC, thence turning and running westerly along the southerly boundary line of the Grantor S. 50° 52' 44" W. a distance of 52.97 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by other land of the Grantor.

Southerly : by land now or formerly of Elmwood Park Realty, LLC

Westerly : by land now or formerly of Datahr Rehabilitation Institute, Inc.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Kittle Realty Corporation 2 Park Place Danbury, Connecticut Scale: 1" = 20" Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, and which map is to be filed in the Danbury Land Records.

MARIO TURRIAGO, VINCENT TURRIAGO AND DANIEL TURRIAGO
4 PARK PLACE
(TAX Assessor's Lot No. I15303)

A certain piece or parcel of land containing 286 square feet (0.0066 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at rear of 4 Park Place also known as Tax Assessor's Lot No. I15303 (portion of) bounded and described as follows:

Commencing at a point being the southeasterly corner of the land of the Grantors and also being the southwesterly corner of land now or formerly of Turgut Kumantas, said point being the southeasterly corner of the land herein described, thence running westerly along the southerly boundary line of the Grantors on the following courses and distances S. 54° 44' 00" W. a distance of 79.334 feet to a point, thence S. 50° 52' 44" W. a distance of 20.69 feet to a point being the southwesterly corner of the land of the Grantors, thence turning and running northerly along the westerly boundary line of the land of the Grantors N. 31° 15' 32" W. a distance of 4.81 feet to a point, thence turning and running easterly through the land of the Grantors on the following courses and distances N. 54° 43' 44" E. a distance of 5.10 feet to a point, thence S. 33° 51' 27" E. a distance of 2.76 feet to a point, thence N. 56° 08' 35" E. a distance of 21.70 feet to a point, thence N. 33° 50' 58" W. a distance of 3.29 feet to a point, thence N. 54° 43' 44" E. a distance of 72.93 feet to a point on the easterly boundary line of the land of the Grantors, thence turning and running southerly along the easterly boundary line of the land of the Grantors S. 33° 55' 27" E. a distance of 3.38 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by land now or formerly of Turgut Kumantas.

Southerly : by land now or formerly of Danbury Commons Limited and by land now or formerly of Elmwood Park Realty, LLC, each in part.

Westerly : by land now or formerly of Kittle Realty Corporation.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Mario Turriago, Vincent Turriago and Daniel Turriago 4 Park Place Danbury, Connecticut Scale: 1" = 20' May 2, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

TURGUT KUMANTAS
6 PARK PLACE
(TAX ASSESSOR'S LOT No. I15302)

A certain piece or parcel of land containing 292 square feet (0.0067 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 6 Park Place and also known as Tax Assessor's Lot No. I15302 (portion of) bounded and described as follows:

Commencing at a point being the southwesterly corner of land of the Grantor and the southeasterly corner of land now or formerly of Mario Turriago, et al, said point being the southwesterly corner of the land herein described, thence running northerly along the westerly boundary line of the land of the Grantor N. 33° 55' 27" W. a distance of 3.38 feet to a point, thence turning and running easterly through the land of the Grantor N. 54° 43' 44" E. a distance of 80.03 feet to a point on the easterly boundary line of the land of the Grantor, thence turning and running southerly along the easterly boundary line of the land of the Grantor S. 33° 39' 58" E. a distance of 3.93 feet to the southeasterly corner of the land of the Grantor, thence turning and running westerly along the southerly boundary line of the land of the Grantor S. 55° 07' 06" W. a distance of 80.00 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by land now or formerly of Helen Kehagias and Emmanuel G. Kehagias.

Southerly : by land now or formerly of Danbury Commons Limited.

Westerly : by land now or formerly of Mario Turriago, et al.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Turgut Kumantas 6 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

HELEN KEHAGIAS AND EMMANUEL G. KEHAGIAS
8 PARK PLACE
(TAX ASSESSOR'S LOT No. I15301)

Two parcels of land, one parcel being triangular in shape containing 2 square feet (0.0001 acre), more or less, called "Drainage Easement No. 1" and the second parcel containing 54 square feet (0.0012 acre), more or less, called "Drainage Easement No. 2", situated in the City of Danbury, County of Fairfield and State of Connecticut located at the rear of 8 Park Place also known as Tax Assessor's Lot No. I15301 (portion of) bounded and described as follows:

DRAINAGE EASEMENT NO. 1

Commencing at a point being the southeasterly corner of the land of the Grantors also being the southwesterly corner of land now or formerly of George & Christine Giannaras, said point being the southeasterly corner of land herein described, thence running westerly along the southerly boundary line of the land of the Grantors S. 55° 05' 17" W. a distance of 3.24 feet to a point, thence turning and running northeasterly through the land of the Grantors N. 32° 03' 34" E. a distance of 3.56 feet to a point on the easterly boundary line of the Grantors, thence turning and running southerly along the easterly boundary line of the land of the Grantors S. 33° 39' 38" E. a distance of 1.39 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantors.

Easterly : by land now or formerly of George & Christine Giannaras.

Southerly : by land now or formerly of Danbury Commons Limited.

DRAINAGE EASEMENT NO. 2

Commencing at a point being the southwesterly corner of the land of the Grantors also being the southeasterly corner of land now or formerly of Turgut Kumantas, said point being the southwesterly corner of the land herein described, thence running northerly along the westerly boundary line of the Grantors N. 33° 39' 58" W. a distance of 3.93 feet to a point, thence turning and running easterly through the land of the Grantors on the following courses and distances, N. 54° 43' 44" E. a distance of 6.23 feet to a point, thence N. 70° 01' 53" E. a distance of 15.38 feet to a point on the southerly boundary line of the Grantor, thence turning and running westerly along the southerly boundary line of the Grantor S. 55° 05' 17" W. a distance of 21.17 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantors.

Easterly : by other land of the Grantors and by land now or formerly of Danbury Commons limited, each in part.

Southerly : by land now or formerly of Danbury Commons Limited.

Westerly : by land now or formerly of Turgut Kumantas.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easements as shown on the hereunder referenced map.

For more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easements Through the Land of Helen Kehagias and Emmanuel G. Kehagias 8 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 29, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

DANBURY COMMONS LIMITED
51 MAIN STREET
(TAX ASSESSOR'S LOT No. I15321)

A certain piece or parcel of land containing 10,835 square feet (0.2487 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 51 Main Street also know as Tax assessor's Lot No. I15321 (portion of) bounded and described as follows:

Commencing at a point being the northwesterly corner of the land of the Grantor and also being the northeasterly corner of land now or formerly of Elmwood Park Realty, LLC, said point being the northwesterly corner of the land herein described, thence running easterly along the northerly boundary line of the land of the Grantor on the following courses and distances, N. 54° 44' 00" E. a distance of 79.33 feet to a point, thence N. 55° 07' 06" E. a distance of 80.00 feet to a point, thence N. 55° 05' 17" E. a distance of 48.00 feet to a point, thence N. 55° 05' 12" E. a distance of 73.45 feet to a point, thence turning and running southerly through the land of the Grantor on the following courses and distances, S. 32° 01' 48" W. a distance of 62.18 feet to a point, thence S. 54° 23' 28" W. a distance of 13.61 feet to a point, thence S. 35° 23' 59" E. a distance of 43.26 feet to a point, thence N. 54° 36' 01" E. a distance of 1.10 feet to a point, thence S. 34° 37' 21" E. a distance of 96.13 feet to a point, thence S. 35° 57' 25" E. a distance of 168.59 feet to a point, thence turning and running westerly through the land of the Grantor S. 54° 02' 35" W. a distance of 20.06 feet to a point, thence turning and running northerly through the land of the Grantor on the following courses and distances, N. 35° 57' 25" W. a distance of 167.83 feet to a point, thence N. 34° 37' 21" W. a distance of 97.09 feet to a point, thence N. 54° 36' 01" E. a distance of 1.12 feet to a point, thence N. 35° 23' 59" W. a distance of 44.12 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances, S. 70° 01' 53" W. a distance of 30.07 feet to a point, thence S. 54° 43' 44" W. a distance of 165.80 feet to a point on the westerly boundary line of the land of the Grantor, thence turning and running northerly along the westerly boundary line of the Grantor N. 25° 40' 20" W. a distance of 16.86 feet to the point or place of beginning.

Bounded:

- Northerly : by land now or formerly of Mario Turriago, et al, by land now or formerly of Turgut Kumantas, by land now or formerly of HeLen Kehagias and Emmanuel G. Kehagias and by land now or formerly of George & Christine Giannaras, each in part.
- Easterly : by other land of the Grantor.
- Southerly : by other land of the Grantor.
- Westerly : by other land of the Grantor and by land now or formerly of Elmwood Park Realty, LLC, each in part.

Together with a 25 feet temporary construction easement located adjacent to and parallel with the easterly, southerly and westerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Danbury Commons Limited 51 Main Street Danbury, Connecticut Scale: 1" = 20' April 16, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050 , which map is to be filed in the Danbury Land Records.

ELMWOOD PARK REALTY, LLC
58 Main Street
(Tax Assessor's Lot No. I15317)

A certain piece or parcel of land containing 1,767 square feet (0.0406 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 58 Main Street also known as Tax Assessor's Lot No. I15317 (portion of) bounded and described as follows:

Commencing at a point being the northeasterly corner of land of the Grantor and also being the northwesterly corner of land now or formerly of Danbury Commons Limited, said point being the northeasterly corner of the land herein described, thence running southerly along the easterly boundary line of the land of the Grantor S. 25° 40' 20" E. a distance of 16.86 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances S. 54° 43' 44" W. a distance of 108.19 feet to a point, thence S. 58° 17' 50" W. a distance of 37.83 feet to a point on the westerly boundary line of the land of the Grantor, thence turning and running northerly along the westerly boundary line of the land of the Grantor N. 27° 19' 14" W. a distance of 7.62 feet to a point on the northerly boundary line of the land of the Grantor, thence turning and running northeasterly along the northerly boundary line of the land of the Grantor on the following courses and distances N. 52° 09' 14" E. a distance of 28.58 feet to a point, thence N. 57° 39' 14" E. a distance of 22.14 feet to a point, thence N. 50° 52' 44" E. a distance of 2.45 feet to a point, thence N. 50° 52' 44" E. a distance of 74.10 feet to a point, thence N. 50° 52' 44" E. a distance of 20.69 feet to the point or place of beginning.

Bounded:

Northerly : by land now or formerly of DATAHR Rehabilitation Institute, Inc., by land now or formerly of Kittle Realty Corporation and by land now or formerly of Mario Turriago, et al, each in part.

Easterly : by land now or formerly of Danbury Commons Limited.

Southerly : by other land of the Grantor.

Westerly : by land now or formerly of General Equities Inc.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled "Map Showing Proposed Drainage Easement Through the Land of Elmwood Park Realty, LLC 59 Main Street Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

GENERAL EQUITIES, INC.
63 MAIN STREET
(TAX ASSESSOR'S LOT No. I15316)

A certain piece or parcel of land containing 1,036 square feet (0.0238 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 63 Main Street also known as Tax Assessor's Lot No. I15316 (portion of) bounded and described as follows:

Commencing at a point on the easterly street line of Main Street which point is the northwesterly corner of the land of the Grantor and the southwesterly corner of land now or formerly of DATAHR Rehabilitation Institute, Inc., said point being the northwesterly corner of land herein described, thence running easterly along the northerly boundary line of the land of the Grantor on the following courses and distances, N. 62° 50' 21" E. a distance of 60.14 feet to a point, thence N. 61° 02' 44" E. a distance of 25.24 feet to a point, thence N. 57° 11' 44" E. a distance 56.66 feet to a point, thence N. 52° 09' 14" E. a distance of 6.70 feet to the northeasterly corner of the land of the Grantor, thence turning and running southerly along the easterly boundary line of the land of the Grantor S. 27° 19' 14" E. a distance of 7.62 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances S. 58° 17' 50" W. a distance of 52.96 feet to a point, thence N. 27° 15' 00" W. a distance of 0.24 feet to a point, thence S. 62° 44' 57" W. a distance of 49.93 feet to a point, thence S. 27° 14' 55" E. a distance of 4.13 feet to a point, thence S. 58° 17' 50" W. a distance of 47.30 feet to a point on the easterly street line of Main Street, thence turning and running northerly along the easterly street line of Main Street on the following courses and distances N. 27° 18' 46" W. a distance of 2.81 feet to a point, thence N. 17° 41' 46" W. a distance of 9.24 feet to the point or place of beginning.

Bounded:

Northerly : by land now or formerly of Datahr Rehabilitation Institute.

Easterly : by land now or formerly of Elmwood Park Realty, LLC.

Southerly : by land of the Grantor.

Westerly : by Main Street.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description referenced is made to a map entitled "Map showing Proposed Drainage Easement Through the Land of General Equities, Inc. 63 Main Street Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

DATAHR REHABILITATION INSTITUTE, INC.
65 MAIN STREET
(TAX ASSESSOR'S LOT No. I15306)

A certain piece or parcel of land containing 2,379 square feet (0.0546 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 65 Main Street and known as Tax Assessor's Lot No. I15306 (portion of) bounded and described as follows:

Commencing at a point on the easterly street line of Main Street which point is the southwesterly corner of land of the Grantor and the northwesterly corner of land now or formerly of General Equities, Inc., said point being the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 24° 10' 28" W. a distance of 8.31 feet to a point, thence turning and running easterly through the land of the Grantor on the following courses and distances, N. 58° 17' 50" E. a distance of 184.01 feet to a point, thence N. 54° 43' 44" E. a distance of 16.75 feet to a point on the easterly boundary line of the Grantor, thence turning and running southerly along the easterly boundary line of the Grantor S. 29° 38' 04" E. a distance of 9.82 feet to the southeasterly corner of the land of the Grantor, thence turning and running westerly along the southerly boundary line of the Grantor on the following courses and distances S. 50° 52' 44" W. a distance of 2.45 feet to a point, thence S. 57° 39' 14" W. a distance of 22.14 feet to a point, thence S. 52° 09' 14" W. a distance of 35.28 feet to a point, thence S. 57° 11' 44" W. a distance of 56.66 feet to a point, thence S. 61° 02' 44" W. a distance of 25.24 feet to a point, thence S. 62° 50' 21" W. a distance of 60.14 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by land now or formerly of Kittle Realty Corporation.

Southerly : by land now or formerly of General Equities, Inc. and by land now or formerly of Elmwood Park Realty, LLC, each in part.

Westerly : by Main Street.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of DATAHR Rehabilitation Institute, Inc. 65 Main Street Danbury, Connecticut Scale: 1" = 20' May 2, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

ACACIO FERNANDES AND EMILIA FERNANDES

Two parcels land, the first parcel containing 1,148 square feet (0.0264 acre), more or less, to be called Parcel "A" and the second parcel being triangular in shape containing 51 square feet (0.0012 acre), more or less, to be called Parcel "B", situated in the City of Danbury, County of Fairfield and State of Connecticut located at Keeler Street and Liberty Street and known as Tax Assessor's Lot No. I14372 (portions of) bounded and describe as follows:

PARCEL "A"

Commencing at a point on the southerly street line of Keeler Street, said point being the northeasterly corner of the land herein described and also being located 6.48 feet westerly from the intersection of Keeler Street and Liberty Street, thence running southerly through the land of the Grantors S. 16° 20' 26" E. a distance of 36.76 feet to a point on the southerly boundary line of the land of the Grantors also being the northerly boundary line of land now or formerly of Ferris Nasser, thence turning and running westerly along the southerly boundary line of the land of the Grantors S. 53° 12' 33" W. a distance of 32.02 feet to a point, thence turning and running northerly through the land of the Grantors N. 16° 20' 26" W. a distance of 39.77 feet to a point on the southerly street line of Keeler Street, thence turning and running easterly along the southerly street line of Keeler Street N. 58° 24' 06" E. a distance of 31.10 feet to the point or place of beginning.

Bounded:

Northerly : by Keeler Street

Easterly : by other land of the Grantors

Southerly : by land now or formerly of Ferris Nasser

Westerly : by other land of the Grantors

Together with 25 feet wide temporary construction easements located adjacent to and parallel with the easterly and westerly lines of the permanent easement as shown on the below referenced map.

PARCEL "B"

Commencing at a point being the southeasterly corner of the land of the Grantors, said point being the southwesterly corner of land now or formerly of Ferris Nasser and said point being the southeasterly corner of land herein described, thence running westerly along the southerly boundary line of the land of the Grantors being the northerly boundary line of land now or formerly of St. Peter's Corporate Society S. 58° 18' 37" W. a distance of 5.38 feet to a point, thence turning and running northerly through the land of the Grantors N. 16° 20' 26" W. a distance of 19.47 feet to a point on the easterly boundary line of the land of the Grantors being the westerly boundary line of land now or formerly of Ferris Nasser, thence turning and running southerly along the easterly boundary line of the land of the Grantors S. 32° 22' 23" E. a distance of 18.77 feet to the point or place of beginning.

Bounded:

Easterly : by land now or formerly of Ferris Nasser

Southerly : by land now or formerly of St. Peter's Corporate Society

Westerly : by other land of the Grantors

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the westerly line of the permanent easement as shown on the below referenced map.

For a more particular description reference made to a map entitled "Map Showing Proposed Easements Through the Land of Acacio & Emilia Fernandes Liberty Street and Keeler Street Danbury, Connecticut Scale 1" = 20' Sept. 10, 2002. Revised: Feb 3, 2004" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S No. 12050 which map is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to make necessary improvements to the East Ditch Storm Sewer; and

WHEREAS, as one phase to said proposed improvements, the City will have to obtain eight (8) easements from property owners in order to accomplish project goals; and

WHEREAS, the properties to be acquired are described and identified in EXHIBITS A, B, C, D, E, F, G and H attached hereto; and

WHEREAS, said easements will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easements set forth on EXHIBITS A, B, C, D, E, F, G and H attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by September 2, 2004.



8

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

February 3, 2004

Honorable Mark D. Boughton
Common Council ✓
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Wooster Mountain Shooting Range Noise Abatement Study Project No. 01-12

At the June 5, 2001 Common Council meeting, the council authorized Mayor Gene F. Eriquez to execute the Personal Services Agreement (PSA) between the City of Danbury and the State of Connecticut relative to the above noted project. The study is being paid for in full by the State DEP.

The original PSA agreement was executed. The City hired a specialized noise consultant, C. Vargas and Associates, Ltd., Inc, to do the study. The consultant has performed the testing required at the Wooster Mountain Shooting Range and prepared a draft report.

The PSA agreement signed by Mayor Eriquez had a 12/31/02 ending date. The 12/31/02 deadline for the completion of the report was not met by the consultant. An updated PSA with a 12/31/03 ending date was subsequently executed by Mayor Mark D. Boughton with Common Council authorization.

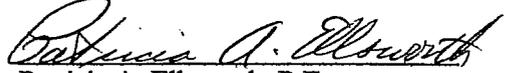
Enclosed please find a copy of the January 30, 2004 letter sent to me by Edward C. Parker, Chief, State of Connecticut DEP Bureau of Natural Resources. The consultant's draft report was reviewed by the DEP in December of 2003, therefore, the 12/31/03 deadline was not met. The State DEP has prepared an updated PSA that will extend the deadline for completion of the study to 12/31/04. A copy of the updated PSA is attached for your reference.

The only difference between the updated PSA and the previous PSA is that the updated PSA reflects the amount of money (\$31,230.75) that has not been spent to date from the original \$45,000.00 grant.

It is hereby requested that Mayor Mark D. Boughton be authorized to execute the updated PSA prepared by the State DEP.

If you have any questions, please feel free to give me a call.

Very truly yours,

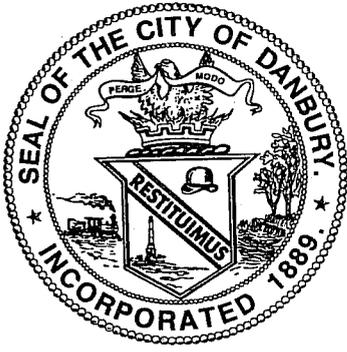


Patricia A. Ellsworth, P.E.

Assistant City Engineer

Encl.

C: William J. Buckley, Jr., P.E.
Dena R. Diorio, with encl.
Laszlo L. Pinter, with encl. (originals)
Edward C. Parker, DEP



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

March 2 _____ A. D., 2004

RESOLVED by the Common Council of the City of Danbury:

Wooster Mountain Shooting Range Abatement Study
City Project No. 01-12

WHEREAS, the State of Connecticut Department of Environmental Protection, Bureau of Natural Resources in 2001 authorized a grant in the amount of \$45,000.00 for a noise abatement study surrounding the Wooster Mountain Shooting Range; and

WHEREAS, the City of Danbury, by its then Mayor Gene F. Eriquez, executed a Personal Services Agreement ("PSA") in 2001 in order to be able to commission said study with the funding provided; and

WHEREAS, because the study could not be completed within the specified time, an extension of said PSA was executed by Mayor Mark D. Boughton on February 11, 2003 through and including 12/31/03; and

WHEREAS, it is necessary that the time for completion of the study be again extended through 12/31/04 as permitted by the CTDEP, and a renewal of said grant to be obtained and authorized.

NOW, THEREFORE, BE IT RESOLVED that Mayor Mark D. Boughton be and hereby is authorized to execute, on behalf of the City of Danbury, a "Grant Renewal" Personal Services Agreement with the State of Connecticut DEP in order to extend the provisions of the original PSA through 12/31/04 in accordance with the terms set forth in the revised PSA.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200

RESOLVED by the Common Council of the City of Danbury:

Wooster Mountain Shooting Range Abatement Study
City Project No. 01-12

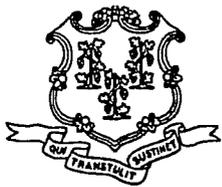
WHEREAS, the State of Connecticut Department of Environmental Protection, Bureau of Natural Resources in 2001 authorized a grant in the amount of \$45,000.00 for a noise abatement study surrounding the Wooster Mountain Shooting Range; and

WHEREAS, the City of Danbury, by its then Mayor Gene F. Eriquez, executed a Personal Services Agreement ("PSA") in 2001 in order to be able to commission said study with the funding provided; and

WHEREAS, because the study could not be completed within the specified time, an extension of said PSA was executed by Mayor Mark D. Boughton on February 11, 2003 through and including 12/31/03; and

WHEREAS, it is necessary that the time for completion of the study be again extended through 12/31/04 as permitted by the CTDEP, and a renewal of said grant to be obtained and authorized.

NOW, THEREFORE, BE IT RESOLVED that Mayor Mark D. Boughton be and hereby is authorized to execute, on behalf of the City of Danbury, a "Grant Renewal" Personal Services Agreement with the State of Connecticut DEP in order to extend the provisions of the original PSA through 12/31/04 in accordance with the terms set forth in the revised PSA.



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



January 30, 2004

RECEIVED

FEB 02 2004

ENGINEERING DEPT.

Patricia A. Ellsworth, P.E.
Assistant City Engineer
Danbury Engineering Department
155 Deer Hill Road
Danbury, CT 06810

RE: Renewal of Grant Agreement for Noise Abatement Study – Wooster Mountain Shooting Range, City Project No. 01-12

Dear Ms. Ellsworth:

I have enclosed two "signature ready" copies of a Grant Renewal for the Wooster Mountain Shooting Range Noise Abatement Study. The renewal is for a twelve month period (January 1, 2004 through December 31, 2004). Please have the Mayor sign both copies and send them back to me together with two (2) certified copies of the resolution by the common council.

I do not anticipate any problem getting approval on this end once we have the signed copies back.

I had expected this project to be completed during the previous extension. However, due to the retirement of the Project Manager, other agency priorities and resource constraints, a review of the June 2003 Engineering Report was not completed until December 2003.

I have discussed the status of the project and the Department's comments with the consulting firm and expect that all remaining work will be completed in 2004.

I apologize for the extra work for you and any others that must review the renewal. If you have any questions please contact me at (860) 424-3061.

Sincerely,

Edward C. Parker, Chief
Bureau of Natural Resources

ECP/mo

Enclosure

(Printed on Recycled Paper)

79 Elm Street • Hartford, CT 06106 - 5127

<http://dep.state.ct.us>

As Equal Opportunity Employer

Rev. 8/03 (DEP Electronic Form)

- PREPARE IN QUINTUPPLICATE.
- THE STATE AGENCY AND THE CONTRACTOR AS LISTED BELOW HEREBY ENTER INTO AN AGREEMENT SUBJECT TO THE TERMS AND CONDITIONS STATED HEREIN AND/OR ATTACHED HERETO AND SUBJECT TO THE PROVISIONS OF SECTION 4-98 OF THE CONNECTICUT GENERAL STATUTES AS APPLICABLE.
- ACCEPTANCE OF THIS CONTRACT IMPLIES CONFORMANCE WITH TERMS AND CONDITIONS STATED ON THE REVERSE SIDE OF THIS SHEET.

(1) <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> AMENDMENT	(2) IDENTIFICATION NO. P.S.
--	--------------------------------

CONTRACTOR	(3) CONTRACTOR NAME City of Danbury		(4) ARE YOU PRESENTLY A STATE EMPLOYEE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	CONTRACTOR ADDRESS 155 Deer Hill Avenue, Danbury, Connecticut 06810		CONTRACTOR FEIN/SSH
STATE AGENCY	(5) AGENCY NAME AND ADDRESS DEP, Bureau of Natural Resources, 79 Elm Street, Hartford, CT 06106-5127		(6) AGENCY NO.
CONTRACT PERIOD	(7) DATE (FROM) 01/01/04	THROUGH (TO) 12/31/04	(8) INDICATE <input type="checkbox"/> MASTER AGREEMENT <input type="checkbox"/> CONTRACT AWARD NO. _____ <input checked="" type="checkbox"/> NEITHER
CANCELLATION CLAUSE	THIS AGREEMENT SHALL REMAIN IN FULL FORCE AND EFFECT FOR THE ENTIRE TERM OF THE CONTRACT PERIOD STATED ABOVE UNLESS CANCELED BY THE STATE AGENCY, BY GIVING THE CONTRACTOR WRITTEN NOTICE OF SUCH INTENTION (REQUIRED DAYS NOTICE SPECIFIED AT RIGHT).		(9) REQUIRED # OF DAYS WRITTEN NOTICE: <u>30</u>

COMPLETE DESCRIPTION OF SERVICE	(10) CONTRACTOR AGREES TO: (Include special provisions - Attach additional blank sheets if necessary.) This agreement is a continuation of PSA#2002-20008 which expired on 12/31/03. The contractor, the City of Danbury, hereinafter referred to as "Municipality" or "Contractor" agrees to utilize the grant funding provided under this agreement to undertake a noise abatement study to identify alternatives, recommend options for implementation and develop preliminary cost estimates for measures to mitigate noise emanating from the Wooster Mountain Shooting Range. Additional terms and conditions relating to this agreement are identified on Attachment A which is attached hereto and made a part hereof this agreement. This contract is subject to Executive Order No. 16 which is attached hereto and made a part hereof as Attachment B.
---------------------------------	---

COST AND SCHEDULE OF PAYMENTS	(11) PAYMENT TO BE MADE UNDER THE FOLLOWING SCHEDULE UPON RECEIPT OF PROPERLY EXECUTED AND APPROVED INVOICES. Payment of any or all funds from this grant-in-aid will be made based on invoices submitted by the Municipality subject to approval of such requests for payment by the Commissioner, in his sole discretion. The contractor/municipality is responsible to supply appropriate documentation of costs relating to the project to the administering agency. Total amount not to exceed \$31,230.75.
-------------------------------	--

(12) ACT CD	(13) DOC TYP	(14) COM. TYP	(15) LSE. TYP	(16) ORIG. AGENCY	(17) DOCUMENT NO.	(18) COMMIT. AGENCY	(19) COMMIT. #	(20) VENDOR FEIN/SSH-SUFFIX	
(21) COMMITTED AMOUNT \$31,230.75					(22) OBLIGATED AMOUNT		(23) CONTRACT PERIOD (FROM / TO) 01/01/04 - 12/31/04		
(24) Dept	(25) Fund	(26) SID	(27) Project	(28) Program	(29) Account	(30) Agency CF 1	(31) Agency CF 2	(32) Budget Ref	(33) Amount
44110	12052	40505	DEP_Nonproject	65099	55050			2003	31,230.75

An individual entering into a Personal Service Agreement with the State of Connecticut is contracting under a "work-for-hire" arrangement. As such, the individual is an independent contractor, and does not satisfy the characteristics of an employee under the common law rules for determining the employer/employee relationship of Internal Revenue Code section 3121(d). Individuals performing services as independent contractors are not employees of the State of Connecticut and are responsible themselves for payment of all State and local income taxes, federal income taxes and Federal Insurance Contribution Act (FICA) taxes.

ACCEPTANCES AND APPROVALS	(34) STATUTORY AUTHORITY
(35) CONTRACTOR (OWNER OR AUTHORIZED SIGNATURE)	TITLE Mark D. Boughton, Mayor DATE
(36) AGENCY (AUTHORIZED OFFICIAL)	TITLE David K. Leff, Deputy Commissioner DATE
(37) OFFICE OF POLICY & MGMT./DEPT. OF ADMIN. SERV.	TITLE DATE
(38) ATTORNEY GENERAL (APPROVED AS TO FORM)	DATE

EXECUTIVE ORDERS

This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill promulgated June 16, 1971, and, as such, this contract may be canceled, terminated or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three, or any state or federal law concerning nondiscrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to nondiscrimination until the contract is completed or terminated prior to completion. The contractor, agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that he will not discriminate in his employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner. This contract is also subject to provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such, this contract may be canceled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service. This contract is subject to the provisions of Executive Order No. 16 of Governor John G. Rowland promulgated August 4, 1999, and, as such, this contract may be canceled, terminated or suspended by the state for violation of or noncompliance with said Executive Order No. 16, which is attached hereto and incorporated herein. The parties to this contract, as part of the consideration hereof, agree that a requirement for compliance with Executive Order No. 16 shall be included in any subcontracts or other compliance with that may result from the contract. The parties agree to abide by such Executive Order.

NON-DISCRIMINATION CLAUSE**PURSUANT TO C.G.S. SEC. 4a-60**

For purposes of this Section, "Commission" means the Commission on Human Rights and Opportunities.

For the purposes of this section, "Public works contract" means any agreement between any individual, firm or corporation and the state or any political subdivision of the state other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the state, including but not limited to matching expenditures, grants, loans, insurance or guarantees.

The contractor agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

(a) (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved; (2) the contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the commission; (3) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the commission advising the labor union or workers' representative of the contractor's commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the contractor agrees to comply with each provision of this section and secs. 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to section 46a-56, 46a-68e and 46a-68f; (5) the contractor agrees to provide the commission on human rights and opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as it relates to the provisions of this section and section 46a-56. If the contractor is for a public works contract, the contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works project.

(b) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-92c, and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

(c) Determination of the contractor's good faith efforts shall include but shall not be limited to the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training, technical assistance activities and such other reasonable activities or efforts as the commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the commission, of its good faith efforts.

(e) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission, the contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

PURSUANT TO C.G.S. SEC. 4a-60a

The contractor agrees to the following provisions:

(a)(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the commission on human rights and opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to Section 46a-56; (4) the contractor agrees to provide the commission on human rights and opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56.

(b) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commissioner may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation a subcontractor or vendor as a result of such direction by the commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

INSURANCE

The contractor agrees that while performing services specified in this agreement that he shall carry sufficient insurance (liability and/or other) as applicable according to the nature of the service to be performed so as to "save harmless" the State of Connecticut from any insurable cause whatsoever. If requested, certificates of such insurance shall be filed with the contracting State agency prior to the performance of services.

STATE LIABILITY

The State of Connecticut shall assume no liability for payment for services under the terms of this agreement until the contractor is notified that this agreement has been accepted by the contracting agency and, if applicable, approved by the Office of Policy and Management (OPM) or the Department of Administrative Services (DAS) and by the Attorney General of the State of Connecticut.

CITY OF DANBURY – WOOSTER MOUNTAIN SHOOTING RANGE GRANT CONDITIONS

ATTACHMENT A

The contractor, the City of Danbury, hereinafter referred to as “Municipality” or “Contractor” agrees to utilize the grant funding to undertake a noise abatement study to identify alternatives, recommend options and develop cost estimates for measures to mitigate noise emanating from the Wooster Mountain Shooting Range.

1. The study shall include: evaluation of the volume and character of sounds emanating from the range under all common conditions and patterns of use; identification of options for mitigation of the noise; evaluation of the potential effectiveness and costs of such options; recommendation of an option or group of options for implementation; and conceptual design and detailed cost analysis of the recommended option(s).
2. The Municipality agrees to carry out the project in accordance with the approved contract and scope of services and the approved timeframe.
3. The Municipality agrees to submit periodic progress reports to DEP that identify the progress of the project and to include DEP in meetings with the consultant who was chosen under PSA 2002-20008.
4. The Municipality agrees to obtain DEP approval of the recommended option or group of options prior to finalizing the recommendations and to obtain DEP approval of the final report.
5. The Municipality agrees that any change relating to the scope of the project must be requested in writing with appropriate justification. Approval of proposed changes to any item or issue listed in this agreement remains at the discretion of the Commissioner.
6. The Municipality agrees to have its financial records audited at the close of the City’s fiscal year and provide that audit to the Commissioner, all in accordance with Connecticut General Statutes Section 7-396a and Sections 4-230 through 4-236 and any applicable Regulations, which are or may be promulgated.
7. This agreement is subject to the provisions of Executive Order No. 16 of Governor John G. Rowland promulgated August 4, 1999, and as such, this contract may be canceled, terminated or suspended by the state for violation of or non compliance with said Executive Order No. 16, which is attached hereto and made incorporated as Attachment B. The parties to this contract, as part of the consideration hereof, agree that a requirement for compliance with Executive Order No. 16 shall be included in any subcontracts or other agreements that may result from the contract. The parties agree to abide by such executive order.

THE COMMISSIONER AND THE MUNICIPALITY FURTHER AGREE:

1. That if the total eligible cost as finally determined by the **COMMISSIONER** is less than the estimated cost herein contained, the amount of the grant as now estimated shall be reduced accordingly and the **MUNICIPALITY** shall reimburse the **COMMISSIONER** in the amount of any overpayment.
2. That the **MUNICIPALITY’S** obligation under this contract shall remain in effect until the results of the study and final report have been approved by the Commissioner and until all funds provided under this grant have been disbursed for approved expenses under the approved scope of services and contract or have been returned to the Commissioner.

THE COMMISSIONER AGREES:

1. To make periodic grant payments to the **MUNICIPALITY** based on submission and approval by the Commissioner, at this sole discretion, of invoices submitted by the Municipality.

ATTACHMENT B

Executive Order No. Sixteen

WHEREAS, the State of Connecticut recognizes that workplace violence is a growing problem that must be addressed; and

WHEREAS, the State of Connecticut is committed to providing its employees a reasonable safe and healthy working environment, free from intimidation, harassment, threats, and/or violent acts; and

WHEREAS, violence or the threat of violence by or against any employee of the State of Connecticut or member of the public in the workplace is unacceptable and will subject the perpetrator to serious disciplinary action up to and including discharge and criminal penalties.

NOW, THEREFORE, I, John G. Roland, Governor of the State of Connecticut, acting by virtue of the authority vested in me by the Constitution and by the statutes of this state, do hereby ORDER and DIRECT

1. That all state agency personnel, contractors, subcontractors and vendors comply with the following **Violence In the Workplace Prevention Policy**:

The State of Connecticut adopts a statewide zero tolerance policy for workplace violence.

Therefore, except as may be required as a condition of employment;

- No employee shall bring into any state worksite any weapon or dangerous instrument as defined herein.
- No employee shall use, attempt to use, or threaten to use any such weapon or dangerous instrument in a state worksite.
- No employee shall cause or threaten to cause death or physical injury to any individual in a state worksite.

Weapon means any firearm, including a BB gun, whether loaded or unloaded, any knife (excluding a small pen or pocket knife), including switchblade or other knife having an automatic spring release device, a stiletto, any police baton or nightstick or any martial arts weapon or electronic defense weapon.

Dangerous instrument means any instrument, article, or substance that, under the circumstances, is capable of causing death or serious injury.

Violation of the above reasonable work rules shall subject the employee to disciplinary action up to and including discharge.

2. That each agency must prominently post this policy and that all managers and supervisors must clearly communicate this policy to all state employees.
3. That all managers and supervisors are expected to enforce this policy fairly and uniformly.
4. That any employee who feels subject to or witnesses violent, threatening, harassing or intimidating behavior in the workplace immediately report the incident or statement to their supervisor, manager, or human resources office.
5. That any employee who believes that there is a serious threat to their safety or the safety of others that requires immediate attention notify proper law enforcement authorities and his or her manager or supervisor.
6. That any manager or supervisor receiving such a report shall immediately contact their human resources office to evaluate, investigate and take appropriate action.
7. That all parties must cooperate fully when questioned regarding violations of this policy.
8. That all parties be advised that any weapon or dangerous instrument at the worksite will be confiscated and that there is no reasonable expectation of privacy with respect to such items in the workplace.
9. That this order applies to all state employees in the executive branch.
10. That each agency will monitor the affective implementation of this policy.
11. That this order shall take place immediately.

Dated August 4, 1999



9

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 24, 2004

Honorable Members of the Common Council
City of Danbury

Dear Council Members:

I hereby submit for your confirmation the promotion of Police Officer James Lalli to the rank of Detective within the Danbury Police Department. Officer Lalli has successfully completed the Civil Service requirements for this position.

Officer Lalli was appointed to the Police Department on May 31, 1995. He has received numerous Letters of Appreciation and Commendation, as well as Unit Citations. He was promoted to Evidence Technician in August 2000. Officer Lalli received a Meritorious Citation in May 1996, a Meritorious Service Medal in May 1997, a Chief's Achievement Award in May 2002 and an Exceptional Police Service Award in May 2003.

I hereby submit for your confirmation the promotion of Police Officer Robert Ehrhard to the rank of Detective within the Danbury Police Department. Officer Ehrhard has successfully completed the Civil Service requirements for this position.

Officer Ehrhard was appointed to the Police Department on May 14, 1990. Officer Ehrhard has received numerous Letters of Commendation regarding his professionalism, as well as Unit Citations and Exceptional Duty Awards. He is DWI Enforcement Certified and has had training in Narcotics and Drug Enforcement and has been a Community Policing Officer from July 1995 to October 2000. He received a Medal of Meritorious Service in May 1999 and May 2000.

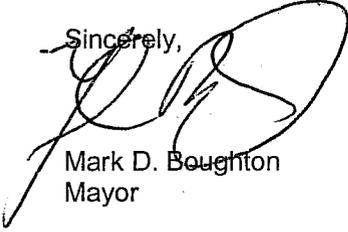
I hereby submit for your confirmation the promotion of Police Officer Ethan Mable to the rank of Detective within the Danbury Police Department. Officer Mable has successfully completed the Civil Service requirements for this position.

Officer Mable was appointed to the Police Department on May 14, 1990. Officer Mable has received numerous Letters of Appreciation and Commendation, as well as Unit Citations. He has been trained in Narcotics and was temporarily assigned to the Traffic Division in 2002. Officer Mable has volunteered with Connecticut Special Olympics since 1996. He was also selected "Town Captain" for the Police Department in 2003, has participated in the Law Enforcement Torch Run and organized "Tip-a-Cop" and "Cops & Lobsters" events. Officer Mable received the Medal of Bravery in May 1998, May 2000 and May 2001.

Honorable Members of the Common Council
City of Danbury
February 24, 2004

Thank you for your consideration of these appointments.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Boughton', written over the word 'Sincerely,'.

Mark D. Boughton
Mayor

MDB/ecc



RECYCLED
PAPER



10

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 25, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

I am pleased to submit the following students for your confirmation as Youth Advisors to the Danbury Youth Commission:

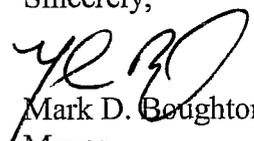
James DePaoli
35 Pond Crest
Danbury, CT 06811
Immaculate High School – Grade 10

Ashley Harvey
25 Morris Street
Danbury, CT 06810
Alternative Center for Excellence – Grade 11

The Danbury Youth Commission recently concluded a very successful Youth Town Forum and the Youth Advisors played an important role in the dialogue over two days. We look forward to reviewing future recommendations from the Danbury Youth Commission and the Youth Town Forum committees.

Thank you for your consideration of these appointments.

Sincerely,


Mark D. Boughton
Mayor



11

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 25, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

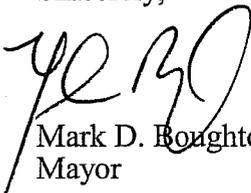
I hereby submit for your confirmation the reappointment of the following individual to the Commission for Persons With DisAbilities with a term to expire March 1, 2007:

Chad Sinanian
11 Thorpe Street
Danbury, CT 06810

Mr. Sinanian is an active member of the Commission and a tireless advocate for persons with disAbilities in the greater Danbury area.

Thank you for your consideration of this appointment.

Sincerely,


Mark D. Boughton
Mayor



12

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 25, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

My administration is developing a comprehensive "Clean City Danbury" program scheduled for a launch in time for annual spring cleanup. An important component of "Clean City Danbury" is our proposed residential brush removal program.

We are finalizing details of a contract to provide brush removal services for Common Council consideration. I plan to appoint a Common Council Ad Hoc Committee to consider this important service for our residents.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Boughton".

Mark D. Boughton
Mayor



13

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

Danbury Senior Center

Elmwood Hall
10 Elmwood Place
(203) 797-4686

Municipal Agent

80 Main Street
(203) 796-1513

February 25, 2004

Honorable Mayor Mark Boughton
Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Members of the Common Council:

A donation of \$ 200.00 has been sent to the Department of Elderly Services - Danbury Senior Center from the Savings Bank of Danbury for the specific purpose of purchasing an American Flag. I am asking that this donation be approved and the total amount of \$200.00 be transferred to line item 5002.5601 for purchase of this flag. Thank you very much.

Respectfully,

Susan Tomanio, LCSW
Director of Elderly Services

cc: Dena Diorio
Director of Finance

20058

SAVINGS BANK OF DANBURY

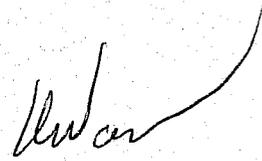
220 MAIN STREET
DANBURY, CONNECTICUT 06810
(203)743-3849 FAX (203)743-7872

SAVINGS BANK OF DANBURY
51-7223-2211

DATE	02/10/2004
AMOUNT	***200.00*

TWO HUNDRED DOLLARS and 00 CENTS

DANBURY SENIOR CENTER
C/O MS. SUSAN TOMANIO
10 ELMWOOD DRIVE
DANBURY CT 06810



⑈020058⑈ ⑆221172238⑆ 010004953⑈

Security Features Included. Details on back.

MP



14

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

Fire Department
19 New Street

Peter J. Siecienski, Chief
(203)796-1550
Fax (203) 796-1533

Mayor Mark D. Boughton
Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT. 06810

February 23, 2004

RE: DONATION TO THE FIRE DEPARTMENT

Dear Mayor Boughton & Members of the Common Council:

The Fire Department has received the following donation.

1. Connecticut Fair Plan – Five Hundred Dollars (\$500)

This donation was made for the Fire Marshal's office to purchase a Digital Camera. I would ask that this generous donation be accepted at the March meeting of the Common Council and funds be deposited in Fire Department line item **#2010.5703**.

If you require any additional information, please do not hesitate to contact me directly.

Respectfully submitted,

Philip D. Curran
Deputy Fire Chief

PDC/ft

.cc: Virginia Walonoski, Finance Dept.
Jimetta Samaha, Asst. City Clerk

OUR REF. NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
050527	MUNICIPAL GRANT	2/12/2004	500.00	500.00	0.00	500.00
999220	DANBURY FIRE MARSHAL'S OFFICE					

CONNECTICUT FAIR PLAN
 77 HARTLAND STREET, SUITE 308
 EAST HARTFORD, CONNECTICUT 06108

FLEET BANK, N.A.
 EAST HARTFORD, CT 06108
 51-57/119

CHECK DATE	CONTROL NUMBER	CHECK AMOUNT
02/12/2004	054888	\$*****500.00

VOID AFTER 180 DAYS

PAY Five Hundred and 00/100 ----- Dollars

DANBURY FIRE MARSHAL'S OFFICE

AMOUNTS OVER \$2500.00 REQUIRE TWO SIGNATURES

Donald J. Veinisz

TO THE ORDER OF

AUTHORIZED SIGNATURE

⑈054888⑈ ⑆011900571⑆00008776946⑈

15

February 18, 2004

Mayor Mark D. Boughton

Danbury City Hall

Dear Mayor Boughton:

We have received a donation from Cultural Commission in the amount of \$600.00.

Please place this item on the agenda for the March Common Council meeting as this donation needs to be deposited into the LIBRARYFUND.5601 OFFICE SUPPLIES.

Sincerely,



Elizabeth McDonough
Director

c: Common Council - c/o J. Samaha ←
D. Diorio - Director of Finance



16

CITY OF DANBURY
DEPARTMENT OF WELFARE & SOCIAL SERVICES

TELEPHONE
(203) 797-4569

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

FACSIMILE
(203) 797-4566

To: Vincent Nolan
President of the Common Council
City of Danbury
Danbury, CT 06810

Fr: Deborah MacKenzie

Re: Holiday Donations from the community
to the Dept. of Welfare & Social Services

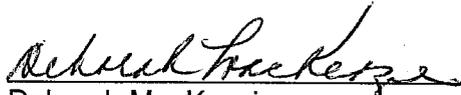
Date: 1/26/04

Please find attached Kathryn's letter to Mayor Boughton detailing the generous donations made to our department for our clients.

The donation of volunteer hours and merchandise to the shelter were also staggering. Volunteers bought, cooked and served both Thanksgiving and Christmas dinners.

Groups and individuals from all of the Danbury area gave generously.

They have all been thanked personally and in writing. I am providing this information so that you and the other council members are aware of the widespread generosity and support for our City's programs.


Deborah MacKenzie

EMERGENCY SHELTER 796-1661
JOB SEARCH ASSISTANCE 796-1650

MEDICAL BENEFITS COUNSELING 797-4567
EMERGENCY AID NETWORK 797-4565





CITY OF DANBURY
DEPARTMENT OF WELFARE & SOCIAL SERVICES

TELEPHONE
(203) 797-4569

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

FACSIMILE
(203) 797-4566

To: Mayor Mark Boughton

From: Kathryn Kinasewitz *KK*

Date: January 2, 2004

Re: Holiday Donations

Once again The Danbury Welfare and Social Services Department was successful in providing a memorable Thanksgiving and Christmas Holiday for the needy in our community.

Many individuals, employees of the City, local businesses and Churches helped us in getting assistance to those in our community in need.

We received hundreds of gifts and food donations. The food dinners for Thanksgiving fed 25 families-123 people. Our Christmas giving was also very successful. We assisted 148 people with food and holiday gifts.

The request for gift cards from grocery stores totaled \$135. Some of these cards were donated to us by the State Social Services employees others from our City of Danbury employees. The local Knights of Columbus donated 125 lbs. of holiday food that we were able to donate in our community.

We received a donation of 150 hand- made children's hats and scarves, from one of our senior citizens.

The Ancient Order of Hiberians gifted us with 42 food baskets for Christmas that fed over 100 people! This organization has been a tremendous support in this way for years.

I have attached copies of Thank you letters sent to all who shared in giving to their community this past holiday season.

EMERGENCY SHELTER 796-1661
JOB SEARCH ASSISTANCE 796-1650

MEDICAL BENEFITS COUNSELING 797-4567
EMERGENCY AID NETWORK 797-4565



**Volunteers / Donations from
Individuals and Families**

Danbury

Deborah Jarrow
James Stelzel
Joan Boughton
John Capro
Phyllis Boughton
Mike Hack
Luizi Fulinello
Anthony Hayes
Kate Graveline
Kate Lamson
Pat Bragdon
Robin Shepherd
Beth Hawley & family
Laura Ambiose
Kelly DeGuire
Jennifer Esteves
Helena Abrantes
Lisa Nuzzo
Michelle Botelho
Jennifer Emminger
Tim Doyle
Tom Spegnolo

California

Shawn Fogarty

Stormville

Bette Savette
Barbara Viggiano
Bonnie & Ron Mausolf

New Milford

Glennis Colburn
Bob Rawlins
Fred De Bourberg

Religious Organizations

St. Elizabeth Seton Church – Ridgefield
New Hope Baptist Church
Redding Congregational Church
UCC – King Street
Connecticut Sarang Presbyterian Church
St. Mary's Parish - Ridgefield
Universal Unitarian Society

Bethel

Pat & Al Curesky
Liz Nugent
Nancy Sudik
Serena Allie

Brookfield

Mehry Zasarlots
Margaret Klein
Bernadette Boulais
Bill Oster

Bridgewater

Dory Kutz

New Fairfield

Mary Canero

Newtown

Pat Wakelee
Liz Driscoll

New York

Suzanne Harrington

Ridgefield

David Rieke
Joan Heinsohn

Stamford

Raphael, Sam, Delia Odyssey

Civic Clubs / Organizations

Ridgefield Aquatic Club – Senior Club
Girl Scout Troop #30 – Danbury
Lions Club of Danbury
Jenny Bryant Temple #1187
Carter Marshall Lodge
Ancient Order of the Hibernians
Democratic Town Committee
United Way of Northern Fairfield County
Troop # 417 - Brookfield Girl Scouts

Schools

Third Grade - South Street School – Danbury
Alan Burlinger of Newtown High School
Bethel High School - Class of 2005

Employees of:

The Gardens - Danbury
Mill Plain engine Company
Misty Morning Day Care - Newtown
Kohls
Old Navy
Groom Room - Ridgefield
Filene's

Businesses

Walmart
Sheraton Hotel



17

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

CHARLES J. VOLPE, JR., CPPB
PURCHASING AGENT

(203) 797-4571 PHONE
(203) 796-1527 FAX
c.volpe@ci.danbury.ct.us

Memo

To: Honorable Mayor Mark D. Boughton and Members of the Common Council
From: Charles J. Volpe, Jr., Purchasing Agent 
CC: Dena Diorio, Director of Finance
Date: 2/19/2004
Re: Request for Permission – Disposal of Surplus Vehicles & Equipment

The City recently accepted sealed bids for surplus vehicles and equipment. Attached for your information is a copy of the three (3) Bid Result Forms. The high bid for each item has been circled. The total of the high bids received for the surplus vehicles and equipment was \$22,050.00.

Pursuant to the requirements set forth by Section 2-153 of the Code of Ordinances, I am requesting your permission to sell the subject surplus items to the highest bidders.

If you have any questions, please feel free to contact me.

Item / Description	DAVE SCALZO	ALL STAR WELDING	A and Silver Auto SALES	Brian Carey	Grade Quality Used Cars
1. 1971 Chev Step Van	N/B	15.00	N/B	N/B	N/B
2. 1974 Chev HD Step Van	N/B	15.00			
3. 1990 Chev Blazer	20.00	15.00			
4. 1981 Dodge 250 Pickup	N/B	15.00			
5. Maxim Fire Truck		50.00		131.99	
6. 1988 Chev S10 Blazer		15.00		N/B	
7. 1988 Plym Gran Fury (...397)		15.00			
8. 1988 Plym Gran Fury (...398)		15.00			
9. 1985 Ford Wagon		15.00			
10. 1990 Chev Caprice		15.00			
11. 1989 Chev Caprice		15.00			
12. 1987 Pontiac 6000 Wagon		15.00			
13. 1990 Chev Blazer	55.00	15.00			
14. 1987 Plym Gran Fury	N/B	15.00			
15. 1997 Ford Crown Vic (...388)		N/B			1306.00
16. 1997 Ford Crown Vic (...389)					1255.00
17. 1997 Ford Crown Vic (...378)			760.00		1556.00
18. 1997 Ford Crown Vic (...443)			N/B		1556.00
19. 1997 Ford Crown Vic (...381)			N/B		1556.00
20. 1997 Ford Crown Vic (...390)			1225.00		1556.00
21. 1997 Ford Crown Vic (...380)			1525.00		1456.00
22. 1997 Ford Crown Vic (...385)			N/B	351.99	1456.00
23. 1997 Ford Crown Vic (...382)			1125.00	N/B	1456.00
24. 1997 Ford Crown Vic (...386)			1125.00		1556.00
25. 1997 Ford Crown Vic (...375)			N/B		955.00
26. 2000 Ford Crown Vic			N/B		955.00
27. 1994 Chev Blazer (...037)		15.00	170.00	351.99	N/B
28. 1994 Chev Blazer (...033)		15.00	170.00	N/B	
29. Minolta Microfilm Reader/Printer		N/B	N/B	N/B	

Awards Committee Initial _____
 Mayor _____
 Finance Director *el*
 Corporation Counsel *hr*
 Department Head _____

Awards Committee Comments: *Awarding to the high bidder on each item contingent upon Common Council approval*
 If high bid is not bid of award, please specify reasons why it is not acceptable:

Tax Office: _____ Purchasing Agent: *Chumley*
2/18/04

"Surplus Vehicles & Equipment"

Bid Date: Thurs., Feb. 12, 2004

Bid Time: 10:00 AM

Item / Description	Novak's AUTO WRECKING	Beardsley + Memorial LIBRARY	SCOTT McKean	Borghino Truck Sales	JIM BEERS
1. 1971 Chev Step Van	40.00	N/B	N/B	N/B	N/B
2. 1974 Chev HD Step Van	40.00			N/B	
3. 1990 Chev Blazer	40.00			50.00	
4. 1981 Dodge 250 Pickup	40.00			50.00	
5. Maxim Fire Truck	40.00			306.50	
6. 1988 Chev S10 Blazer	40.00			30.00	
7. 1988 Plym Gran Fury (...397)	40.00			N/B	
8. 1988 Plym Gran Fury (...398)	40.00				
9. 1985 Ford Wagon	40.00				
10. 1990 Chev Caprice	40.00				
11. 1989 Chev Caprice	40.00				
12. 1987 Pontiac 6000 Wagon	40.00				
13. 1990 Chev Blazer	40.00		50.00		
14. 1987 Plym Gran Fury	40.00		N/B		
15. 1997 Ford Crown Vic (...388)	40.00		105.00		
16. 1997 Ford Crown Vic (...389)	40.00		105.00		
17. 1997 Ford Crown Vic (...378)	40.00		105.00		
18. 1997 Ford Crown Vic (...443)	40.00		105.00		
19. 1997 Ford Crown Vic (...381)	40.00		105.00		
20. 1997 Ford Crown Vic (...390)	40.00		105.00		
21. 1997 Ford Crown Vic (...380)	40.00		105.00		
22. 1997 Ford Crown Vic (...385)	40.00		105.00		
23. 1997 Ford Crown Vic (...382)	40.00		105.00		
24. 1997 Ford Crown Vic (...386)	40.00		105.00		
25. 1997 Ford Crown Vic (...375)	40.00		105.00		
26. 2000 Ford Crown Vic	40.00		510.00		
27. 1994 Chev Blazer (...037)	40.00		200.00	50.00	500.00
28. 1994 Chev Blazer (...033)	40.00		200.00	50.00	N/B
29. Minolta Microfilm Reader/Printer	N/B	250.00	N/B	N/B	N/B

Awards Committee Initial

Awards Committee Comments:

Mayor

Finance Director

If high bid is not bid of award, please specify reasons why it is not acceptable:

Corporation Counsel

Department Head

Tax Office: _____ Purchasing Agent: _____

Item / Description	Dellis	Jersey One	Police Cars Unltd	Scott Scrozzofara	C.C.C. DIST.
1. 1971 Chev Step Van	N/B	N/B	N/B	N/B	N/B
2. 1974 Chev HD Step Van	N/B				
3. 1990 Chev Blazer	112.00				
4. 1981 Dodge 250 Pickup	112.00				
5. Maxim Fire Truck	N/B				
6. 1988 Chev S10 Blazer	112.00				
7. 1988 Plym Gran Fury (...397)	112.00				
8. 1988 Plym Gran Fury (...398)	112.00				
9. 1985 Ford Wagon	112.00				
10. 1990 Chev Caprice	112.00				
11. 1989 Chev Caprice	112.00				
12. 1987 Pontiac 6000 Wagon	77.00				
13. 1990 Chev Blazer	112.00				
14. 1987 Plym Gran Fury	112.00				
15. 1997 Ford Crown Vic (...388)	127.00	1261.00	1717.00		
16. 1997 Ford Crown Vic (...389)	127.00	1321.00	1818.00		
17. 1997 Ford Crown Vic (...378)	127.00	1291.00	1717.00		
18. 1997 Ford Crown Vic (...443)	127.00	1361.00	1818.00		
19. 1997 Ford Crown Vic (...381)	127.00	1021.00	1132.00		
20. 1997 Ford Crown Vic (...390)	127.00	1381.00	1132.00		
21. 1997 Ford Crown Vic (...380)	127.00	1481.00	1717.00		
22. 1997 Ford Crown Vic (...385)	127.00	851.00	1515.00		
23. 1997 Ford Crown Vic (...382)	127.00	1351.00	1717.00		
24. 1997 Ford Crown Vic (...386)	127.00	1346.00	1818.00		
25. 1997 Ford Crown Vic (...375)	127.00	1238.00	1132.00		
26. 2000 Ford Crown Vic	302.00	568.00	1132.00		
27. 1994 Chev Blazer (...037)	177.00	476.00	N/B	100.00	
28. 1994 Chev Blazer (...033)	137.00	398.00		100.00	
29. Minolta Microfilm Reader/Printer	N/B	N/B		N/B	

Awards Committee Initial

Awards Committee Comments:

Mayor

Finance Director

If high bid is not bid of award, please specify reasons why it is not acceptable:

Corporation Counsel

Department Head

Tax Office: _____ Purchasing Agent: _____

Vincent Nolan
Common Council President
City of Danbury

February 19, 2004

18

Re: Request to Purchase City of Danbury
Land on Terrace Street

Dear Mr. Nolan:

Per the request of the Common Council, I have performed an appraisal on a portion of land (40' x 100') owned by the City of Danbury. The purpose of the assignment is to estimate the proposed parcel's current market value in fee simple for its potential sale to an abutter, Mary and Erminia Cappiello (Assessor's Map H10019).

Identification/Description of the Parcels

The City of Danbury Assessor's Office identifies the City of Danbury parcel as G10099. The parcel, 55 acres, is improved with Danbury High School. The parcel has frontage on Clapboard Ridge Road, as well as Terrace Street and East Gate Road. The improvements are located near the Clapboard Road frontage. The appraised portion of the parcel, 40' x 100', is located at the southeastern corner of the 55 acres. The parcel is located in the RA-40, residential zone. The proposed split has 40 feet of frontage on the west-side of Terrace Street and runs along the northern property line of Assessor's Lot H10019, a 0.14 acre parcel. Assessor's Lot H10019, 62' x 100', is improved with a 1,110 square foot ranch style dwelling built in 1930. The parcel is in an RA-20 zone.

Highest and Best Use

The 55 acre parcel is currently improved with the Danbury High School. The highest and best use of the 55 acres is for its current use with potential for expansion of high school uses (ie.. buildings, ball fields ect.). However, the proposed 40' x 100' strip of land would be more valuable to the abutter.

Scope of the Appraisal

The subject property was inspected on February 19, 2004 by Richard Seman, Jr. Relevant market data was utilized in the development of the applicable approach to value, the sales comparison approach.

Intended User

The intended user of this valuation is the City of Danbury to aid in the potential sale of the proposed parcel to the abutter, 2 Terrace Street, in order to build a one car detached garage. A portion of the abutter's driveway and wood fence already encroaches on the 55-acre parcel.

Analysis of Value

In order to estimate the market value of the proposed 40' x 100' parcel the appraiser has employed a before and after analysis of 2 Terrace Street (Assessor Lot H10019), research and analyzed comparable vacant building lot sales.

Sales Analysis

<u>LOCATION</u>	<u>SALE PRICE</u>	<u>SALE DATE</u>	<u>LAND AREA</u>	<u>PRICE/ SQFT.</u>	<u>ZONE</u>
63 Hospital Ave.	\$79,900	10/10/03	7,405 sqft.	\$10.79	R-3
Hillside Ave.	\$80,000	10/6/03	6,534 sqft.	\$12.24	R-3
Shelter Rock Road	\$75,000	12/19/03	7,841 sqft.	\$9.57	RA-8

The sale prices for the comparable sales range from \$9.57 to \$12.24 per square foot. All sales are in residential zones with public water and sanitary sewers available. The estimated market value of the proposed 40' x 100' parcel is broken down into three steps (before value, after (acquisition) value and value of the 40' x 100' proposed parcel).

Estimated market value (land only) of Assessor's Lot H1015 (2 Terrace Street)

1) "Before" Value	6,098 square feet x \$12.00 per sqft. =	\$73,176
	+	
Addition of 4,000 sqft.	4,000 square feet	
2) "After" Value	10,098 square feet x \$12.00 per sqft. =	<u>\$121,176</u>
	Difference in Value	\$48,000
	Discount for Excess Land	x 30%
3) Value of Proposed 40' x 100' Parcel		\$14,400

Value Conclusion

The value of the proposed 40' x 100' parcel is based on the difference between the "before" and "after" values. The difference is then discounted for excess land. In other words excess land is typically less valuable than a minimum building lot on a square foot basis. Also considered is the benefit of removing the encroachment of the driveway and wood fence.

It is my opinion the estimated market value of the proposed 40' x 100' parcel, as of February 19, 2004, is \$14,500.

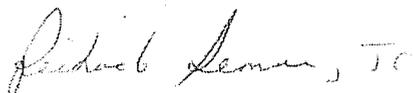
Statement of Qualifications

I, Richard Seman, am a designated appraiser (SRA) with the Appraisal Institute, a national organization of professional appraisers. I am also certified by the State of Connecticut as a residential appraiser (RCR 476) and I am competent to appraise the subject properties based on my experience appraising residential property for the past 18 years throughout Fairfield County, including large tracts of vacant, land locked and improved land.

David Delohery also contributed to the valuation.

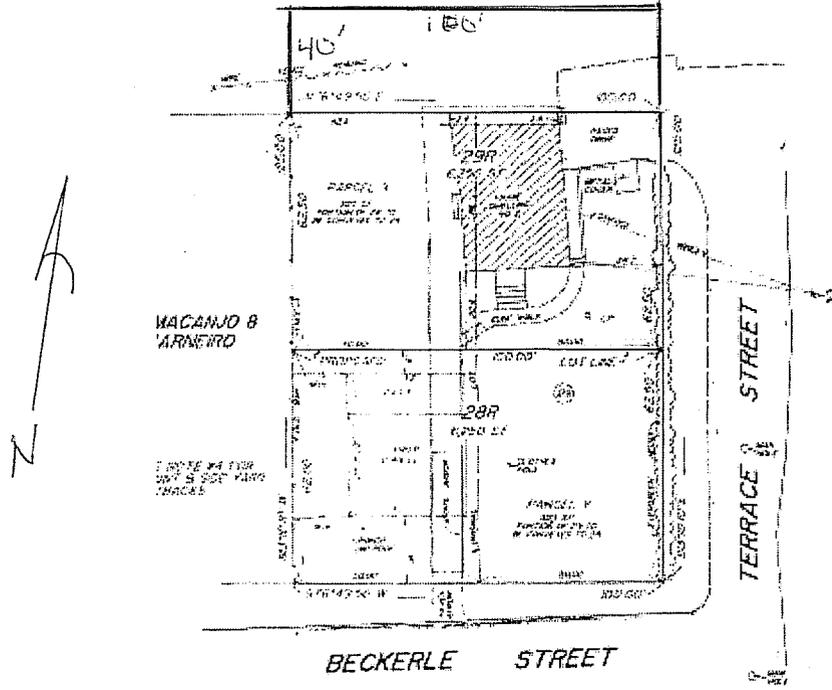
If you have any questions regarding this matter, please call.

Sincerely,



Richard Seman, Jr., SRA

Proposed 40' x 100' Parcel



Survey Map/ Proposed Parcel in Red/Subject Lot in Yellow



View of the proposed 40' x 100' parcel, from Terrace Street, facing southwest.

Sales Analysis

<u>LOCATION</u>	<u>SALE PRICE</u>	<u>SALE DATE</u>	<u>LAND AREA</u>	<u>PRICE/ SQFT.</u>	<u>ZONE</u>
63 Hospital Ave.	\$79,900	10/10/03	7,405 sqft.	\$10.79	R-3
Hillside Ave.	\$80,000	10/6/03	6,534 sqft.	\$12.24	R-3
Shelter Rock Road	\$75,000	12/19/03	7,841 sqft.	\$9.57	RA-8

The sale prices for the comparable sales range from \$9.57 to \$12.24 per square foot. All sales are in residential zones with public water and sanitary sewers available. The estimated market value of the proposed 40' x 100' parcel is broken down into three steps (before value, after (acquisition) value and value of the 40' x 100' proposed parcel).

Estimated market value (land only) of Assessor's Lot H1015 (2 Terrace Street)

1) "Before" Value	6,098 square feet x \$12.00 per sqft. =	\$73,176
	+	
Addition of 4,000 sqft.	4,000 square feet	
2) "After" Value	10,098 square feet x \$12.00 per sqft. =	<u>\$121,176</u>
	Difference in Value	\$48,000
	Discount for Excess Land	x 30%
3) Value of Proposed 40' x 100' Parcel		\$14,400

Value Conclusion

The value of the proposed 40' x 100' parcel is based on the difference between the "before" and "after" values. The difference is then discounted for excess land. In other words excess land is typically less valuable than a minimum building lot on a square foot basis. Also considered is the benefit of removing the encroachment of the driveway and wood fence.

It is my opinion the estimated market value of the proposed 40' x 100' parcel, as of February 19, 2004, is \$14,500.

Statement of Qualifications

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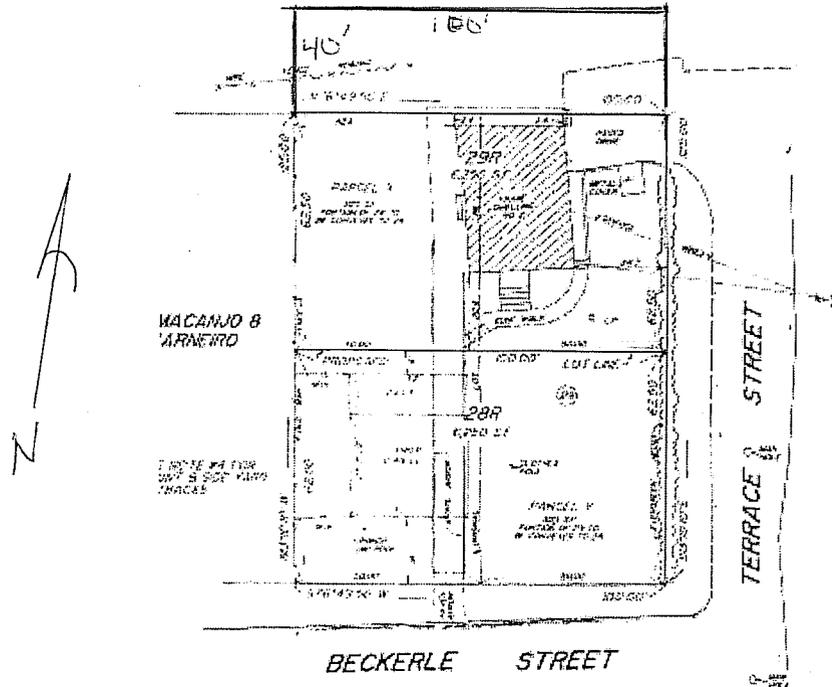
If you have any questions regarding this matter, please call.

Sincerely,



Richard Seman, Jr., SRA

Proposed 40' x 100' Parcel



Survey Map/ Proposed Parcel in Red/Subject Lot in Yellow



View of the proposed 40' x 100' parcel, from Terrace Street, facing southwest.

HERBERT L. COHEN
(1928-1983)

February 3, 2004

19

AUSTIN K. WOLF
MARTIN F. WOLF
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
G. KENNETH BERNHARD
DAVID L. GROGINS
GRETA E. SOLOMON
ROBIN A. KAHN
RICHARD G. KENT
RICHARD SLAVIN
DANIEL S. NAGEL
RICHARD J. DI MARCO
DAVID B. ZABEL
MARK A. KIRSCH
DAVID M. LEVINE
JOSEPH G. WALSH
DAVID A. BALL
JOCELYN B. HURWITZ
STUART M. KATZ
MONTE E. FRANK
PATRICIA C. SULLIVAN
VINCENT M. MARINO
MARNIE J. RUBIN
ARI J. HOFFMAN
COURTNEY A. GEORGE
CARRIE L. LARSON
ALISON KAPLAN CLARK
BARBARA ELLIS
BARBARA M. SCHELLENBERG
KAREN WACKERMAN MYERS

Vince Nolan, Jr., President
Danbury Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

RE: 146 South Street, LLC

Dear Vince:

I am petitioning the City of Danbury on behalf of 146 South Street, LLC which is the owner of the premises currently operated as a CVS Pharmacy at the corner of South Street and Memorial Drive. In connection with the approval of the Site Plan and Special Exception, the site drainage attaches to the existing catch basin located on city property (Roger's Park) at the rear of the pharmacy. As part of the site plan, 146 South Street, LLC deeded road widening strips to the City of Danbury and performed road improvements along South Street at the intersection of Memorial Drive. In addition a sidewalk easement was granted in connection with the reconstructed sidewalk. We are currently completing paperwork transferring the road widening parcel and the sidewalk easement to the City of Danbury and at the same time we are requesting that the City grant the 20-foot drainage easement to 146 South Street, LLC to conform with the approved site plan. Attached to this letter is a photocopy of the portion of the drainage and erosion control plan approved by the City of Danbury Planning Commission which shows the "PROPOSED 20' DRAINAGE EASEMENT" which we seek to have formally granted and recorded.

I would appreciate it if you would put this matter down on your agenda for processing through the appropriate subcommittee in the hopes of completing the paperwork in a timely manner.

I thank you in advance for your anticipated cooperation in this matter.

Yours Truly,



Neil R. Marcus

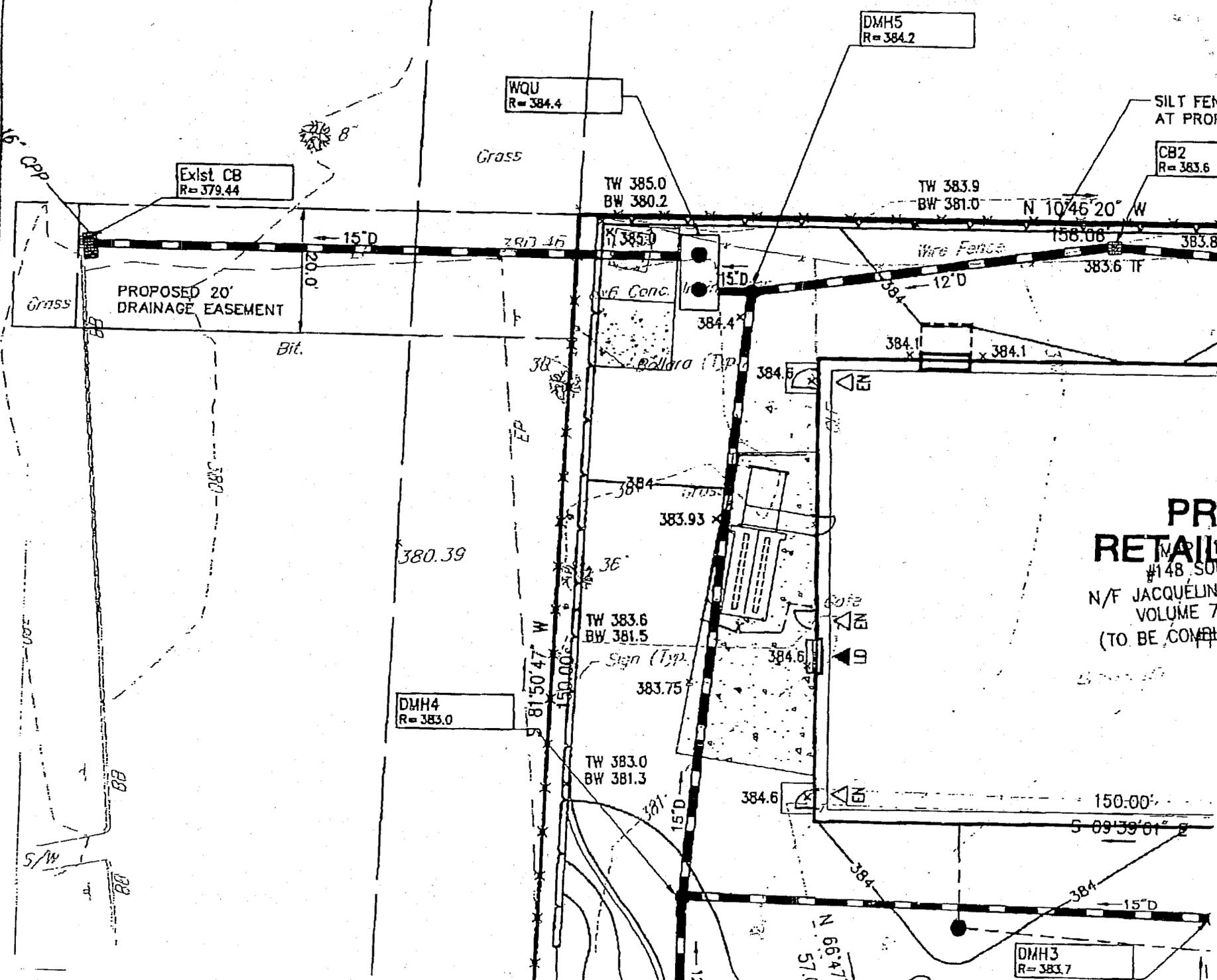
NRM:pld

Enclosure

cc: Kathryn M. Macol, Quatrella & Rizio, LLC

Post-It® Fax Note 7671

To	Robin Kahn	Date	1/28/04	# of pages	2
Co./Dept.	CVS	From	Pat Ellsworth		
Phone #	South St.	Co.			
Fax #		Phone #			



**PR
RETAIL**
#148, S0
N/F JACQUELIN
VOLUME 7
(TO BE COMPT)

SWL

SWL

DYL

STORE NUMBER: 629

SOUTH STREET AND MEMORIAL DRIVE
DANBURY, CONNECTICUT

DEVELOPER:

146-148 ST, LLC
P.O. BOX 1086
SOUTH PORT, CT 06490

REVISIONS:

09/27/02 PER CITY COMMENTS

10/16/02 PER CITY COMMENTS

5/20/03 SCREEN WALL

6/24/03 PER CITY COMMENTS

LAYOUT COORD:

PLANNING MGR.

DRAWING BY:

VHB

DATE:

19 JULY 2002

JOB NUMBER:

4063100

TITLE:

GRADING, DRAINAGE &
EROSION CONTROL PLAN

SHEET NUMBER:

C-3

COMMENTS:

\\ctniddot\projects\40631\cad\ld\planset\40631.d

RECEIVED

SEP 30 2003
PLANNING & ZONING
CITY OF DANBURY

APPROVED BY:

Issued For Permitting Only
Not For Construction

#889

SESRG

RECEIVED

FEB 11 2004

Westville Estates Community Association, INC. CORPORATION COUNSEL
c/o 3 Chelsea Drive
Danbury, Connecticut 06811-4462

20

February 9, 2004

City of Danbury
Office of the Corporation Council
Robert J. Yamin
Corporation Counsel and Chief Legal Officer
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Attorney Yamin -

The Westville Estates community Association, Inc. requests that consideration be given to the proposal of a land gift to the City of Danbury of three parcels currently owned by the Association.

The parcels in consideration are tax record number F14113, 52531 and 102671, town clerk map number 10422 and 10682. Warranty deed record Vol. 1294, Pages 0831/0832.

The three parcels consist of 1.963, 0.505, and 0.176 acres respectively.

We look forward to hearing from you at your earliest convenience as to how to proceed with this proposal.

Regards,



Randy Wheaton
Vice President
743-4403



Richard Bowers
Co-Treasurer
797-0930

COMMON COUNCIL - CITY OF DANBURY

21

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water X

Name of Applicant: Westville Common, LLC

Address: 60 Old New Milford Road
Brookfield, CT 06804

Telephone: (203) 775-4744

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: Scuppo Road

Assessors's Lot No. _____

Zone: _____

Intended Use: Retail _____ Single Family Residential _____

Office _____ Multiple Family Development X

Mixed Use _____

Industrial _____

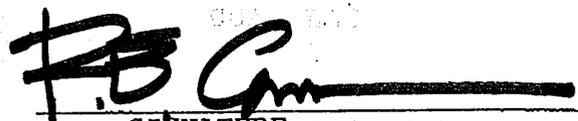
Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 82

Number of 3 Bedroom Units _____

Total Number of Units 82



SIGNATURE Roderick E. Cameron
CCA, LLC Project Manager

February 19, 2004

DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

22

Sewer X

Water _____

Name of Applicant: David R. Carroll

Address: P.O. Box 482
 Ridgefield, CT 06877-0482

Telephone: (203) 438-5995

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 15 Plumtrees Road

Assessors's Lot No. L12035-103182

Zone: IG80

Intended Use: Retail _____ Single Family Residential _____
Office _____ Multiple Family Development _____
Mixed Use _____
Industrial X

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units _____

David R. Carroll
SIGNATURE

2/2/04
DATE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

March 2, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Water Extension – Oak Ridge Avenue**

The Common Council Committee appointed to review the request for water extension on Oak Ridge Avenue met on February 23, 2004 at 7:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Saracino, Burns and Visconti. Also in attendance were Director of Public Works William Buckley, Len Morse from Covenant Construction and Council Members Basso, Cavo, Nolan, Esposito, Teicholz and Nagarsheth, ex-officio.

Ms. Saracino noted the positive recommendation from the Planning Commission. Mr. Buckley pointed out the project on a site map showing the water extension from Concord Road to Oak Ridge Avenue. This property is in West Terrace in the high service area. He estimates that the extension will be approximately 200 feet, but might prove to be 100 feet when the petitioner does his test holes in the spring. Mr. Buckley would recommend approval subject to the required eight steps.

Mr. Visconti made a motion to recommend approval of the water extension subject to the required eight steps. Seconded by Ms. Burns. Motion carried unanimously.

Respectfully submitted,


MARY SARACINO, Chairman

GEORGETTE BURNS


FRED VISCONTI



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

March 2, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Timetable for Sewer and Water Projects**

The Common Council Committee appointed to review a timetable for sewer and water projects met on February 17, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Basso, Bingaman and Saadi. Also in attendance were Corporation Counsel Robert Yamin, Director of Public Works William Buckley and Council Members Teicholz, Cavo and Barry, ex-officio.

Mrs. Basso stated that the Mayor sent a letter to the Common Council asking for a five-year moratorium on all previously submitted sewer and water projects. Mrs. Basso asked Mr. Buckley for his input. Mr. Buckley said he would not object to doing this. Many of the projects are those the Common Council has seen before.

Mr. Saadi passed out a rough draft of a resolution addressing this issue. Although he feels the issue needs to be addressed, he feels that five years is too long. He would suggest two years. A special exception would have to be made for health and safety reasons or other good causes. The proposed resolution reads as follows:

1. Prohibit the filing of any application or petition for sewer and/or water extensions, subject to the assessment process, for any street which previously comprised or was part of any such extension application or petition rejected by the Common Council within the previous five years.
2. Establish a special exception for accepting any such application or petition for good cause on health, safety and/or overriding general welfare concerns as determined by the Common Council; and
3. This resolution shall not apply to any petitioning street which the majority or plurality of property owners voted in favor of proceeding with the assessment process pursuant to a survey of the City.
4. This resolution may be sunsetted after two years.

Mr. Saadi pointed out that in the Carolyn Avenue sewer project a few streets were added in. They came in overwhelmingly against it and the Common Council removed them. He wants to make sure that those that are added in are not rejected because they were part of another application. Mr. Buckley said he does not have a problem with that but it makes things complex. Attorney Yamin asked Mr. Saadi if he wanted to adopt specific language? Mr. Saadi said that the Corporation Counsel's Office should draft a resolution from his outline. The special exception would have to be based on a determination by the Common-Council, but to get to that point, someone would have to submit a petition.

Mr. Saadi made a motion to direct the Corporation Counsel to prepare a resolution consistent with the language as outline above. Seconded by Mr. Bingaman.

Mr. Bingaman said that a three-year period might be too short to jump from one issue to the next. The original proposal was five years. The time period begins after the Common Council rejects the petition. Mr. Saadi said it is his opinion that five years is too long. Three years is long enough. The sunset provision is adequate.

Mr. Saadi offered an amendment to add a sunset provision of two years. Seconded by Mr. Bingaman. Motion carried unanimously.

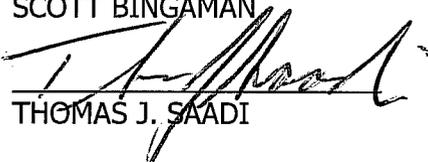
Mr. Bingaman offered an amendment to add a five-year timetable rather than three years. Seconded by Mrs. Basso. Motion carried with committee members Basso and Bingaman voting in favor and Mr. Saadi opposed.

The main motion, as amended, carried unanimously.

Respectfully submitted,

PAULINE R. BASSO, Chair

SCOTT BINGAMAN



THOMAS J. SAADI

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it has been the experience of the City that from time-to-time petitions for sewer and/or water extensions have been filed with the City with respect to projects for which such petitions have recently been duly processed and considered and disapproved; and

WHEREAS, the procedures for considering such petitions are necessarily time-consuming and complex and consume considerable resources of the City departments and agencies involved therein, such that it would be imprudent to allow the re-filing of an essentially identical petition soon after the disapproval of said petition; and

WHEREAS, the Common Council now wishes to address the aforementioned problem of duplication in order to increase fairness and efficiency in the petitioning process.

NOW, THEREFORE, BE IT RESOLVED THAT, the Common Council hereby establishes the following rules and procedures regarding the timing of re-application petitions:

1. No application/petition for sewer and/or water extension subject to the assessment process shall be accepted with respect to any essentially identical application/petition filed and disapproved within the previous five (5) years. The Danbury Engineering Department shall review the application/petition and advise the Common Council as to whether or not any such repeat application/petition is in fact essentially identical to such previously filed application/petition, and the Common Council shall make the determination as to whether or not any such repeat application/petition is in fact essentially identical to such previously filed application/petition and the Council's determination shall be final and binding upon all parties. For purposes of determining the date of disapproval of any such previous filing, the effective date of such disapproval shall be the date of the vote of disapproval by the Council.

2. Notwithstanding the above prohibition, for good cause shown based upon overriding considerations of health, safety, or general welfare concerns, there shall be a special exception to the above prohibition on multiple filings within the same 5-year period, for the acceptance of any such application/petition. The Common Council, in consultation with the Department of Health, and/or the Department of Engineering, and/or other appropriate City department or agency, shall determine if a particular application/petition shall be subject to this special exception, and the Common Council's determination as to whether or not such application/petition should be accepted for processing under this special exception shall be final and binding upon all parties. The department or agency relied upon by the Common Council in making any such particular determination of exception shall make and deliver written findings of such exigent circumstances to the Common Council.

3. This Resolution shall not apply to any application/petition as to which the majority or plurality of property owners voted in favor of proceeding with the assessment process pursuant to a survey initiated by the City rather than by said property owners.

4. Sunset Provision: This Resolution shall expire within two (2) years after the date of its approval by the Common Council, if not extended by the Common Council.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

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25

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

Feb. 20, 2004

PLEASE REPLY TO:

DANBURY, CT 06810
Reply To:
797-4518; 744-7090

HON. MARK D. BOUGHTON, MAYOR
HONORABLE PRESIDENT & MEMBERS OF THE COMMON COUNCIL
155 Deer Hill Avenue
Danbury, CT 06810

RE: PENDING LITIGATION

Dear Mayor and Council Members:

Recent events in connection with pending litigation strongly suggest that the time may be right for another discussion of strategy. Accordingly, I have arranged for Assistant Corporation Counsel Daniel E. Casagrande to be present at the **Tuesday, Mar. 2, 2004** Common Council meeting to advise you fully concerning possible courses of action by the City. Of course, adjourning to Executive Session at the end of the Council agenda would be required.

As always, please do not hesitate to call at your convenience with any questions. Thank you for your attention to this matter.

Very truly yours,
YAMIN & YAMIN

ROBERT J. YAMIN
Corporation Counsel and
Chief Legal Officer

797-4518; 744-7090

cc: Eric L. Gottschalk, Esq.
Daniel E. Casagrande, Esq.

[RJY.la.C.ct.lit.ltr.(XXXXXXXXX).MAYOR.2/20/2004]

